

# VARIETY

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64 PAGES

## PASSING OF CONEY ISLAND

### Hotels' Meller Splurge Has Frisco Showmen on Ropes; Reprisals

San Francisco, Sept. 3.

Theatre men here, both screen and legit, are biting their thumbs wondering what to do about sudden invasion of theatrical field by hotels. It started when the Palace hotel imported company to do 'Drunkard'. Burlesque of old meller started with bang and began 17th week tonight (3).

Other hotels and night clubs got green eyes and decided to dip their spoons in the gravy boat. Nut Club, Market street pop price club, joined with 'Widow's Burrow'. Overhead in small and players take split on cash above certain top. Club charges no convert and admission is 75 cents. Gag is to sell ticket with three stubs, each good for two-bits. These exchangeable for victrolas or drinks. Place gets good run every night.

Latest to go old-time is Fairmont, old and exclusive socialite hotel, with 'Father's Curse', and after-show featuring Amazon chorus and tuboffs on old vaude acts.

Theatre men are now working to oust hotels quit, trying to invoke old fire ordinance passed here after quake of '06, which prohibits use of footlights, scenery or stage in any but an innkeeper and approved theatre. Fire chief on vacation now.

(Continued on page 63)

### GEORGIE PRICE BUYS SEAT ON EXCHANGE

George K. Price of Price, Fieldman & Co., a new stock brokerage firm occupying office in the J. E. Harbo & Co. suite in Radio City and trading through the Barbo firm, is otherwise Georgie Price, comedian.

The vaude-radio single purchased a seat on the N. Y. Stock Exchange for \$99,000 a fortnight ago. Harold Davidson of the firm becomes Price's partner and floor man. Deal was formally ratified by the governors of the exchange Sept. 1.

Recognizing the exchange's strict regard for conservatism and formalities, Price kept his stock exchange seat purchase quiet rather than risk possible censure through being labeled downtown as the 'bigging broker' or something like that. He will keep his stage identity separate from his Wall Street activities, nor does he plan quitting show biz.

### GOOD DEED SOURS

Cheer-Up Mention Makao Child Listener Mysterical

Philadelphia, Sept. 3.

An attempted good deed by a WIP religiousist produced almost dire results last week. Percy Crawford, conducting a Young People's Church service via WIP, was told by letter of the illness of a New York girl. So last week, while his sermon was being carried by WMCA, the preacher extended his condolences to the youngster and best wishes for her speedy recovery.

Child, until then unaware of the severity of the sickness, heard her name mentioned and promptly became hysterical. A letter from the child's parents to the WIP execs was said to have been nothing less than scalding.

### AIMEE EYEING SAWDUST TIME

Los Angeles, Sept. 3.

With Aimee MacPherson en route to Havana to get in shape for a series of one-acters, set for her by the William Morris office, reports are current here that she has about decided to forsake her Angelus Temple for the less troublesome county fair stands.

Sister Aimee has been away from her local lucrative pastures frequently. Understood that Rheba Crawford, subbing for Aimee for six months, will take over active control of the Temple.

### Sally's 16 Daily

Chicago, Sept. 3.

Sally Rand, the ex-fan and current bubble dancer, is doing 14 and 16 shows a day in her double job between the Italian Village at the World's Fair and her loop Oriental date.

With mobs in town, the loop grind spots are turning out six shows on Saturdays and Sundays, while the Village is presenting Miss Rand 16 times a day, running from 3 p. m. to 2:30 a. m.

### BIG ATTENDANCE, BUT LITTLE COIN

Great Weather Break No Help—See This Summer as Beginning of the End for Amusement Resort—Boardwalk May Be Sole Reminder of Past Glories

### MARDI GRAS NO OUT

By EPES W. SARGENT

Coney Island is going through with its annual Mardi Gras after the annual press gesture of whetting interest via the announcement that there would be none.

If the weather is good the concessionaires will perhaps grab get-away money. Otherwise they'll bid the sheriff as cheerful a goodbye as they can, and start for Florida and the other winter spots. Not that there's been much hope for the past couple of years. Florida is not what it used to be, either.

It may mark the beginning of the end for Coney Island as an amusement resort.

Get-away coin was the objective (Continued on page 63)

### A Long Grudge

The reason the Capitol, N. Y., passed up all exploitation mention of Nijinsky last week, in connection with the booking there of the Fokine Ballet, was Fokine.

House wanted to take advantage of the current popularity of the biography on Nijinsky, by his wife, in that a couple of the ballets presented had originally included the famous dancer. But Fokine objected to any mention of Nijinsky in connection with his troupe.

Presently appearing traces back to the time Nijinsky began composing for the Russian Imperial Ballet for which Fokine was then the leading dance exponent. According to the biography the choreographic ambitions of Nijinsky were accepted at a night by Fokine. Despite the intervening years, and fact that Nijinsky is now in Switzerland suffering from a weakened mentality, the feud is evidently still on—as far as Fokine is concerned.

### Simclair's Possible Election Starts Talk of More Production East

### NEW KIND OF DUEL

Parloane Mave a Way—Kicking Where It Hurts Most

Paris, Sept. 3.

Michel Duran, author of 'Provisional Liberty', Saint-Georges hit which has been bought for Broadway, has challenged Augustin Martini, cabaret singer, to a duel. Weapon is to be the right foot, to be used by each ten times against a soft spot on the other.

Martini did not like a review by Duran in 'Marianne' weekly newspaper, of his act. So he wrote to the paper offering to kick Duran and tell him why afterwards. Duran replied he was willing to do it on a dueling basis, and offered Martini a handicap to compensate for the fact that the artist would offer a target three times as big.

### SOCIETY LIKES 'EM UNKNOWN

Society patronesses of the Stratosphere, niterie on the 55th floor of the RCA building in Rockefeller Center, want a band that isn't familiar to radio fans, so the unit they've picked is Jolly Coburn's. When the combo helps unveil the skyscraper joy spot Oct. 6 it will constitute a first New York appearance. Coburn hails from a roadside dine and dance emporium in Smithtown, L. I.

Elements unknown to the Broadway bunch will serve to add to the swank of the Rockefeller-backed night club, the patronesses believe. Stratosphere's management was on the verge of giving the band assignment to Lud Glushkin when the society ladies came through with their nominees.

### Dark Scotch

Paris, Sept. 3.

Montparnasse has a new wonder. A negro entertainer at Romano's bar who sings spirituals with a broad Scotch brogue.

George is about 70 and lived for 10 years in Edinburgh. He accompanies himself on the banjo.

Hollywood, Sept. 3.

Switching of much film production from California to New York is again being talked of here, but there are still a lot of ifs attached to the mutterings.

The ifs are whether Upton Sinclair, locally deemed a better than even-money bet following his big majority in the Democratic primaries, is elected governor in the fall.

Sinclair running on a plank-theatrical platform favors no taxation on income assumed for less than \$1,000, seeks state income taxes up to 50% on corporation earnings over \$100,000 per year.

Producers and high backed Hollywood salary earners fear that under his scheme taxation would fall particularly heavy on the film capital.

Plenty of talk that such a set-up would give Hollywood a tough wallop so far as film production is concerned.

But it's still just talk, with the chief ifs being whether Sinclair is elected, and if he wins, whether he'll get enough of his party followers with him in the legislature.

### Fox's New Newsreel Will 'Dramatize' News

When Fox Movietone newscast comes out Oct. 1, it will be in new dress. The news will be 'dramatized,' according to Fox executives, as will the new 'March of Time' magazine reel, which Fox may also distrib, although another major company is also interested in handling its release.

Laurence Stallings, new Fox editor, is going to introduce the innovation in the new Fox reel. But no one around the plant right now seems able to completely define a 'dramatized' reel.

For about three years has given considerable of its program to editorialized reeals. It still uses some human interest news subjects, gives them play, and at the same time provides its off-screen reporters with dialog vested with the semblance of story continuity.

But the Fox people scoff at the word 'editorialize'. Stallings will dramatize the new news, but won't editorialize. The 'March of Time' reel will probably be released once every two weeks due to the necessary production detail.

READY FOR RADIO  
A New Phil Spitzany Show

PAGES  
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## WLS Hands NBC Quitting Notice; May Build Transmitter as Indie Or Go Hearst; NBC in Tuff Chi Jam

Chicago, Sept. 3. Big blow-up in the radio situation occurred in town last week when WLS served notice on NBC that it plans to sever affiliation with the network on March 1. Under the terms of the contract either party may break the alliance on specified six-month notice.

Negotiations are under way between the network and the Prairie Farmer 50,000-watt station and there is still a possibility that the alliance will be continued. But continued under vastly different terms than are now in the contract. WLS, the farmer station, is now in a position, trade believes, to secure many concessions which it was not able to get originally.

"If no deal is settled, WLS is in a position to remain entirely independent on its own neck, being practically sold out commercially, or to affiliate with other webs. The George Storer ABE network has made strong offer for the station affiliation. Much more likely is that the station will pass into an alliance with William Randolph Hearst stations, now anxious to secure a Chicago outlet to replace KYW, which moves to Philadelphia, NBC on spot.

However, NBC fears the split with WLS, since that station carries a great bulk of the network commercial shows, sharing time with the NBC, owned and operated WGN. WLS has been using the WENR transmitter and President Butler, of WLS, is understood to be plenty burned over the amount of money that the network has been charging him as rent for the transmitter's use. According to the deal, WLS is asking \$100,000 yearly rental for the use of the wire. However, NBC has been collecting that \$200,000 weekly in WLS time, taking two hours nightly as payment.

Should WLS leave the web NBC will be left with only WMAQ as a full time station and WGN as an split time. KYW, an old standby, quits the town this fall. WCFB, an occasional ally, is moving in on its own network and likely to join the Storer web. Which leaves only WGN, the hit indie Chicago Tribune station, as a possibility, and there is no question that WGN will ask plenty from the network before signifying a deal.

## LEGAL TANGLE HALTS WSUI-WOI MERGER

Iowa City, Sept. 3. There will be no combine of WSUI, state university station, and WOI, Ames state college station, too many difficulties and legal technicalities having presented themselves. No hookup of police broadcast stations with the college stations will be made, according to Ed L. O'Connor, attorney general, because of technical difficulties.

During August it was proposed to combine the two state-owned stations and allocate \$15,000 for a state police short wave outfit. As a result of decision both schools will continue on the air as usual. A short wave police station is being constructed at Waterloo in the WOI building. The new short wave station will be located in Storm Lake, Des Moines, Carroll, or Cherokee.

## Operetta Discs as Bally For Ft. Wayne Airport

Ft. Wayne, Sept. 3. City airport borrows from the local and other to get bigger crowds out during week and over Sundays, by instituting a series of Gilbert and Sullivan operetta disc broadcasts. First is "Trial By Jury," presented in its entirety by an English company.

Chairs are arranged in front of the airport office and several loud speakers are set up along the main road leading to the airport, setting the entire countryside operetta conscious. In between breaks one of the airport officials comes forward and talks on aviation, so the patrons will not forget the purpose of stunt.

## Annette Hanshaw Leaps From \$250 to \$1,400 Wky

Annette Hanshaw leaves Maxwell House Show Band to make her debut with the Casa Loma band for Camel on Columbia Oct. 2. Her salary with the big account is \$1,400 a week, covering two programs. She started for the coffee canner two years ago at \$250.

## WSM SIFTING PREFERENCE DATA

Birmingham, Sept. 3. WSM, Nashville, survey made by 3,000 representatives of the National Life and Accident Insurance Co., owners of the station, is complete, although final results will not be known until about Oct. 1. The survey is taking in 21 states and is covering two divisions, a general radio survey with no references to any particular station or network and then a survey of WSM programs.

Preliminary reports indicate a variety of preferences. Depend on Birmingham to vote for hill-billy music and the survey included Deershire, a suburb of Birmingham. Preferences for minaretts appeared to be general from Chicago, Kentucky and as far west as Brownsville, Texas.

## Coughlin's Airing May Be Extended to West Coast

Hollywood, Sept. 3. Chain airing Father Coughlin's blasts at national affairs may be extended to the Coast in October if sufficient interest is manifested by KNX listeners.

Line charge for the contemplated 26 broadcasts would amount to \$30,000, which would be assumed at the Detroit end. Western terminal of the Coughlin network has been in Kansas City.

Considerable interest has been evinced by supporters of Upton Sinclair, Democratic nominee for governor, whose views are shared by Coughlin. They feel that the priest's lampooning of national and civic affairs would build a stronger following for their candidate, and that the two could be tied in together to advance the impression that the Detroit airer was a stumpe for the Socialist author.

## WHAM Off Politics

Rochester, Sept. 3. Station WHAM, Rochester, in passing up some ready coin this fall by a strict edit against political broadcasts. Letters have been sent to Thomas A. Broderick, Republican county chairman, and Marian W. Rippey, Democratic chieftain, stating the station's new policy.

Decision by WHAM officials is outweighed by a scabbling last year in which State Senator Fred J. Slater accused the station of playing favorites when one of his intended radio speeches was turned down. Station officials declared the speech was submitted too late for consideration. Senator Slater said it was an answer to a Democratic blast and charged it was turned down because it was a slap at Roosevelt.

## Easy Aces' WB Shorts

Goodman and Jane Ace returned Friday (31) from vacationing in Sarasota and will make a couple of film shorts for Warners in Flushing during Sept. They resume for 3rd Balts on night schedules in October.

## Paley's Share

William S. Paley, 66, president of CBS, presumably garnered around \$140,000 from the web for the first six months of 1934. Web's net income for that period, covering the sale of network time, profits from CBS-owned and operated stations and gray turned in by the artists bureau, came to something over \$2,500,000.

In reporting its payroll to the Federal Trade Commission last April, the network stated that Paley's contract, as president, called for a guarantee of \$50,000 a year plus 3 1/2% of the profits up to \$400,000 and 5% of the web's earnings above \$400,000.

With the network time business that CBS has on its books for the last four months of 1934, and heap of spot broadcasting orders in store for at least four of the Columbia-owned outlets, the web is expected to show a heavy profit on the year.

## Gilbert-Sullivan Co. May Air for NBC in Cash-Publicity Deal

NBC may devote the 8-9 p.m. R.D.T. stretch on the blue (WJZ) loop to fab versions of Gilbert and Sullivan operettas, with the cast composed of the D'Oyly Carte Opera Co. from the Savoy theatre in London.

Troupe is over here for a run at the Martin Beck theatre, with a tour of the country to follow. Broadcasts would bring a stipend for the company from the web and also serve as a ballyhoo for the contemplated tour.

## 30 SECONDS OF SONG

Tax Applies for Broadcast Over That Time

London, Aug. 34. Annual Radio show is now on at Olympia. Among other novelties it was arranged that Richard Tauber, the continental tenor, should warble in Vienna and have some relayed to Olympia for a five minutes' entertainment.

Excise Department notified the management that if such a show was given it would exact entertainment tax on everybody present. No tax is exacted when the entertainment lasts half a minute as Tauber will speak for 4 1/2 minutes and sing one chorus of "You Are My Heart's Delight."

Leonard Freeman is in charge of radio for Schock agency, New York.

## Dill Addresses L.A. Broadcasters; Denies Self Tie-Up with Air News

Los Angeles, Sept. 3. There'll be no throttling of radio by the press in the matter of news broadcasts, if Senator C. C. Dill, of Washington, has anything to say about it. And he probably will, for as father of the Dill-Rayburn act, which abolished the Federal Radio Commission and set up in its place the Communications Commission, he'll be active in any legislation that tends to militate against the airing of news events.

Current setup of news broadcasts, under the influence of the dailies, is derided by the senator as a backward step in public service. At a luncheon tendered in his honor, and attended by every station owner in the L. A. area except Earl C. Anthony, operator of the NBC affiliate, KFI-KECA, Dill promised a campaign calculated to remove the gag from miked news.

At Chicago The Senator will also make a plea for freedom of the radio press at a Labor Day gathering in Chicago. It will continue his blast at newspaper domination of radio news dispensing on a country-wide tour up to the annual meet of the National Association of Broadcasters, which gets under way in Cincinnati, Sept. 16. At that confab he will give the air moguls both barrels, and, if fail-

## Parade of Petitioners for 640 Wave Lists CBS, Shepard, Kunskey-Trendle, Cleveland Plain Dealer, Storer, WJAY

## Jack Davidson at

## Young-Rubicam, N.Y.

Jack Davidson last week joined the radio department of Young and Rubicam in a general capacity.

Davidson's previous agency connections have been Rubicam and Ryan and the Federal Advertising Co. He is a cousin of M. H. Aylesworth.

## UNSPONSORED CBS TALENT DROPPED

Columbia has started to let out its sustaining talent. Four names were struck off the list last week and as the schedules fill up with debuting commercials others will be given similar shrift. With the network's new daytime policy calling for sustaining shows of "big time" calibre, the indications are that very few of the warbling acts currently left will be retained for matinee spotting.

Web will usher in its new idea of building up the commercial value of afternoon periods Sept. 12 with an hour's show headed by Kate Smith. In addition to warbling she will m.c. the event, using as guest artists Hollywood and legit names, and femme notables culled from various fields of public and business achievement. CBS is figuring on including Shirley Temple in the initial Wednesday frame. If the latter program clicks similar 60-minute frames will be put together for other afternoons of the week.

Those dropped from Columbia's sustaining payroll last week were Edith Murray, Charles Carlie, Bill Huggins and the Beale Street Boys. Also tagged for elimination is the web's Tuesday evening dramatic affair, "Wayside Cottage." Payroll shakedown leaves untouched as far Betty Barthel, Vera Van, Fats Waller, Gertrude Niesen, Nick Lucas and Evelyn Pross.

Ligon Smith, orchestra director and baritone, has joined WFAA's staff at Dallas.

Stated to come up for solution Sept. 16 before the radio division of the Federal Communications Commission is the five-sided scramble involving the clear channel, 640 kilocycles. Mixed up in the content are political and other implications of no minor importance. Included as parties to the bid for the waves length and an industrial midwestern newspaper, a national web and two regional networks.

As the split-up of the band now stands Earle C. Anthony's KFI, Los Angeles, has a 50,000-watt franchise, while WAU, Columbus, is licensed to operate at 500 watts and the Iowa State College of Agriculture and Mechanical Arts at 5,000 watts. The channel on the eastern end has no incumbents.

In WAU are interested both the Cleveland Plain Dealer and the Wolf Bros., whose financial and mercantile affiliations in Columbus are heavy, wide and varied. Wolf Bros. have in the same town WHN and the banker-merchants agree with the newspaper that the transfer of WAU to Cleveland would be of double benefit. It would help clarify the Columbus radio situation and it would give the Plain Dealer the other mouthpiece that the sheet has always wanted for its home town.

Regional network contenders for a slice of 640 k.c. are John Shepard, 2nd, head of the Yankee link, and George Trendle, pres of the Michigan loop. Shepard would like to have his WAAR, Boston, moved over to that channel and granted a boost in power, while Trendle has even less claim of his own involving 640 k.c.

CBS Ambitions Another quarter that seeks a partnership in this same channel is Columbia, with the franchise allocation also New England. CBS is anxious that WHDH, Boston, be permitted to move to this wave length, which would immediately and automatically give WHDH full-time operating authority. Columbia recently entered into a contract with WHDH. This agreement is to take effect two and a half years hence, or upon the expiration of CBS' contract with Shepard. WHDH's going full time is of major significance to Columbia. If it does CBS will be in a position to do without the Shepard station in Boston. If the part-time situation still prevails for WHDH when the CBS-Shepard covenant approached, the expiration point the national web will have to try the best renewal terms possible with Shepard. Latter avers that when that time comes it will be the full local rate.

In broadcast circles the impression is that Shepard has little chance of cutting in on 640 k.c. scheduled to move over to 630 k.c. from 1210 k.c. next Monday (10) at WPRO, Providence. As anticipated, the objection will be based on the fact that the wavelengths would be too close for two transmitters in so close an area.

Others that have had bids in for a piece of 640 k.c. but are out of the running are George Storer, head of the American Broadcasting System, and the Cleveland Broadcasting Co., which operates WJAY.

## Nanette Kutner's Job

Latest move in the reorganization of Columbia's commercial program division is the induction of Nanette Kutner as a builder of daytime shows. Until recently she had been working with J. P. McEvoy on the preparation of the Hollywood Hotel series which Campbell soup unveils Oct. 5.

Her previous contact with radio had been Ed Wynna's short-lived network, the Amalgamated Broadcasting System. Prior to that she was a freelance p.a.

## WGN Sports to Buick

Chicago, Sept. 3. WGN Sports Review has been taken over by the Buick Motor Company for one year, with regular theme for cancellations. Berghoff Bros. Company was the previous sponsor.



# BALM FOR NBC STATIONS

## Look For NBC-WLW Break

Ad agency circles are WLW, Cincinnati, and NBC arriving at a complete parting of their ways by the end of October. The break, as ad men have figured it, may follow the announcement by WLW, WGN, Chicago, and WOR, Newark, that they have actually formed a network of their own with a central sales organization set up for the project. The near final details of the venture were gone over at a meeting of reps from the three stations in Chicago last week.

Reported strongly advocating an open break with WLW are major execs within NBC. These officials are said to aver that they are tired of engaging in frequent tiffs with WLW over web program clearances and that with practically all the evening time sold NBC is in a solid enough position to call it quits with Powell Crosley's \$100,000-watter. In the event of a split WCKY would be depended upon to carry the burden of NBC programs in the Cincinnati district.

For years WLW has been the main fly in the NBC ointment. This outlet has demanded the full local card rate from network customers and all NBC has been able to do about it is let its clients pay it. NBC sales department this summer went into a vehement tirade when WLW refused to grant network clients protection against imminent boosts in WLW rates unless these accounts signed 11-week, non-cancelable contracts with the station. If NBC clients agreed to the latter stipulation they could escape the third 10% increase WLW contemplated putting into effect Jan. 1, 1935, or any subsequent rate tiffs.

At last week's get-together on the new network proposition in Chicago were John Clark of WLW, Theodore C. Streibert of WOR and George Macfarland of WGN.

## WEB'S PRE-NAB PEACE OFFER

Announcement of New Station Compensation Scale  
Timed Just Ahead of Cincinnati Convention

### ALTERNATIVES

NBC has picked what it deems a strategic occasion on which to make known to its affiliates the web's new scale of station compensation for network commercial time. News will be broken just before the indie operators involved leave for the annual convention of the National Association of Broadcasters in Cincinnati. Letters advising each station the rate it has been allotted by NBC will go out Sept. 14, while the Cincinnati event opens Sept. 17.

Network hopes that the revised plan of compensation will have a favorable effect upon the convening broadcasters and that the good-will offerings will serve to stem any anti-NBC outbursts which disgruntled affiliates might have contemplated making on the convention floor or in committee meetings. Web does not anticipate a unanimous pass of joy will follow the rate allocation announcement. Many affiliates are expected to react bitterly and burn up the wires with expressions of disappointment, resentment and charges of inequitable appreciation of the particular station's worth. Network also has hopes that the affiliates won't get together in informal groups at the convention and compare notes on the compensation issue.

### By-Products

Repercussions from the compensation drive are expected to have an important effect on the fortunes of George Storer's American Broadcasting System. Several NBC affiliates have deferred giving serious thought to the new New York to Chicago network proposition until they have been informed of what NBC was going to do about their requests for a better share of the network income for local time. Trade also understands that George B. McClelland, former NBC executive v.p., playing sphinx the past year, is waiting for the compensation announcement to help spur his network formation idea. McClelland figures that the resulting insurgency will produce enough breakaway stations with which to start a long of his own.

NBC started paying the way for the reversioning of its station pay-off system over a year and a half ago by having its own engineers conduct signal surveys of all affiliated outlets. This coverage data formed the basis of the web's determination of what each station should get as against the current schedule of remuneration, which, with the exception of four spots, is \$50 for an hour's program, \$25 for a half hour's show, and \$12.50 for a 15-minute session. Of the exceptions WLW, Cincinnati, collects its full local rate, while WJZ, Detroit, garners \$180 an hour.

## Joe Cook Extends

Joe Cook last week put his signature to a statement which insured Colgate toothpaste as his services on the NBC Monday night show until the end of 1934. New deal in weeks 17 weeks.

Cook debated for the dentifrice 17 weeks ago.

## Kolynos Spreads

Chicago, Sept. 1.  
Kolynos Tooth Paste goes on CBS and WGN locally Sept. 14 for 15 minutes daily, except Saturday and Sunday, featuring Just Plain Bill Davidson.

Agency is Bissett-Sample-Humant.

## WOR Buys Off Cormier's Contract; Theodore Streibert May Get Job

### Network Premieres

Week of Sept. 3.  
Sept. 2. Buck Rogers serial. (Cincinnati, WABC, 4 p.m.).  
Sept. 4—Mrs. Franklin D. Roosevelt (Simmons Bids, WJZ, 9:30-10 p.m.).  
Sept. 5. True Detective series. (Macfarland Pubs, WABC, 10:30 a.m.).  
Sept. 6—Ralph Kirby, Martha Lee Cole, James McLean, Harold Levy's Orchestra (Mohawk Carpets, WEA, 12-12:15 p.m.).  
Sept. 9—Guy States Post, Charles Webster, Porter Hall, Percy Kilbride, Helen Claes, Read Brown, Jr., John Griggs in "Times and Drums" (Union Central Life, WJZ, 9-9:30 p.m.).  
Sept. 9. Smiling Ed McConnell. (Acme White Lead, WABC, 4:30 p.m.).

Albert Cormier leaves his post as general manager of WOR, Newark, this Saturday (3), after effecting a settlement on his contract which had until next February to go. Theodore C. Streibert, who was brought in last October from the administrative staff of the Harvard School of Business by the Macy department store interests, owners of the station, will possibly assume Cormier's title.

Cormier, who joined WOR as salesman seven years ago, is rated in spot broadcasting circles as one of radio's outstanding developers of this type of business. He was also among the first in the trade to sell local advertisers on the idea of using full hour programs with live talent known to network audiences. Indications are that Cormier will join George Storer's American Broadcasting System in New Haven, he will vacation at sea and establish an office at 1446 Broadway on his return.

Contract of A. J. McCosher, gen. of WOR, runs until 1936. Both Cormier and McCosher received large bonuses in addition to salaries from WOR.

Streibert's previous contact with show business was as assistant to the executive v.p. of Pathé during Joseph P. Kennedy's regime.

## Hearst's Radio Policy Finally Set; Orders Doubling of Sunday Space

Chicago, Sept. 3.

William Randolph Hearst has apparently finally made up his mind how he's going to stand on the radio question; whether he's going to fight radio or embrace it. For four years now the industry has guessed some decision on the part of the Hearst papers, but the Hearst sign have consistently staid the issue. But it now appears that Hearst has decided to jump into radio with both feet. He has issued orders that all Hearst papers on Sunday carry a full two-page spread of radio news and chatter.

In must cases this order means the doubling of space devoted to radio. This ruling goes into effect Sept. 8 (Sunday).

Industry is now awaiting the establishment by Hearst of a national columnist for radio, much in the manner in which Louella Parsons is syndicated as Hearst chatter for the picture biz.

## United Drug Sponsors Kansas City Symphony

United Drug Co., which heretofore has confined itself to spot broadcasting of the disc category, goes network for the first time Oct. 14. It will be a Sunday afternoon half hour on NBC's blue (WJZ) link and the Kansas City Symphony Orchestra will furnish the entertainment.

Coast to coast hookup calls for 39 stations. Street and Finney is the agency. Walter Craig negotiated for the symphony.

## BEARDS SPROUT BY OFFICIAL ORDINANCE

Seattle, Sept. 3.

Boarded men and sunbonnet women, a delegation from Centralia, Washington's annual Pioneer Day celebration this month, crowded the KOMO-KJR studios for a typical morning half-hour program. As a sample of the big way the Centralians go in for the celebration, the delegation of 60 paraded along Seattle streets drawing a large crowd right into the radio studios.

Centralia is famous for this annual affair, when, by a city ordinance strictly enforced, all men must forget about shaving for over a month prior to the celebration.

## McCullough Gravely Ill After Hurry Operation

Lancaster, Pa., Sept. 3.

Chair R. McCullough, general manager of the Mason Dixon Radio Group, is in a critical condition in the Lancaster General Hospital after undergoing an emergency appendicitis operation Wednesday (29).

Seriousness of illness not immediately detected and the case had developed into peritonitis before operation was performed.

## Crystal Competish Anew

Caribed Crystals, handled by the Kieser agency, New York, is with a Sunday afternoon half hour on NBC starting Oct. 5. Program is not set. A radio adventure last season on four Midwestern stations went floppa after a month's try with Gene Dennis, the mentalist.

Product, similar to Crazy Crystals, a big radio advertiser, may use a philosopher with music program.

## NRA Heads Fight For Radio Control; Rosy Asks For It

Washington, Sept. 3.

Fight to regain inside National Recovery Administration over final ruling phase of radio broadcast rules as reorganization plans are hurried into operation. One of first hurdles was paring of division five, headed by Sol A. Rosenblut.

Outcome of reorganization on documents remains matter of conjecture, but move to separate film, rail, radio and bureau parts from miscellaneous and unrelated subjects was taken several days ago from textile and apparel codes, formerly under Rosy's supervision, sent to a new industrial division.

New radio division, headed by Acting Divisional Administrator Nathaniel H. Poolles, is fighting to acquire broadcasting, but meeting stubborn resistance from Rosy and Deputy William F. Farnsworth. Rosy, et al insist that while there may be arguments about broadcasting being primarily a form of entertainment, it must certainly does not come under the head of communication, which has been assigned to Poolles, along with public utilities and transportation. Transport formerly was another of Rosy's lines.

## HOLD TALBOT ON EXTORTION CHARGE

Denver, Sept. 3.

Freeman H. Talbot, 54, manager of NBC station KOA here from the opening in 1924 until April, this year, was arrested last week and pleaded not guilty to a charge of sending a threatening letter through the mails.

The letter, alleged to have been written on a typewriter in Talbot's office in the headquarters of the Music Week Association, of which he is the head, was sent to John T. Fitzell, an intimate friend and prominent business man. The letter demanded that \$4,000 in small bills be placed where the writer could secure it without police interference.

Talbot was arrested after two female bath-parlor attendants told police he had asked one of them to take a taxi to the city park zone, get a package hid there, and then drive out east of Denver to deliver the parcel to him (Talbot).

Talbot told the police that two men drove up to his house one evening as he was sprinkling the lawn and, threatening death to him and his two baby daughters, persuaded him to promise to help them get the \$4,000 from Fitzell. Talbot says they took his keys and must have secured entrance to his office to write the letter on his typewriter.

Police and friends have established that Talbot did not need the money. Although relieved at KOA in April, his salary did not stop until July 15, and even then he had a chance to go into the Chicago offices of NBC, which offer he turned down. Talbot has a bank account and numerous stock securities.

### Sick Since Resignation

His doctors say he is suffering from a paranoic condition, and appeared to be as a man who 'walked in a dream.' His wife and friends say the loss of the managership at KOA was a severe blow, and believe the illness was brought on by this. He was made KOA manager because of his work as head of the Denver Music Week Association, and stayed in that job 10 years, resigning in April of this year immediately after the arrival of a vice-president of NBC. It was announced he would take a leave of absence for three months, going to California for a rest before going into the Chicago NBC offices, but he never left Denver.

Because of his Music Week and KOA connections, Talbot is probably one of the best known men in Denver.

He was released on \$2,500 bond.

## Don Lee Death Sends Pickard On Coast Trip

Sam Pickard, CBS v.p. in charge of station relations, left last Friday (31) on an itinerary that will wind up for a stay on the Pacific coast. He had arranged weeks before to make the trip but the sudden death of Don Lee made the western jaunt an imperative one for CBS. Pickard will stay around Los Angeles for at least two weeks to oversee CBS' program interests as far as the Don Lee link is concerned.

Death of Lee, avowed Pickard just before he left New York, would not affect Columbia's relations with the Pacific network affiliate, New York broadcast division is of the opinion that Tommy Lee, the deceased son, will have the supervision of the Lee radio interests to H. C. Glendon, comptroller for the regional network. Glendon in recent years served as Don Lee's close financial adviser and 'no man.'

While on the Coast, Pickard will also make the rounds of Columbia's affiliates in the Northwest region. Don Lee, 53, died suddenly of acute indigestion in the Ambassador Hotel, Los Angeles, Aug. 30. An extended account appears in the obituary department.

### SWITCH PRODUCTION MEN

J. Walter Thompson agency has taken Gordon Thompson off the Fleischmann show production job, supplanting him with Albert Spencer. Thompson will work on a couple of new shows for the agency this season.

Spencer was the Chase & Sanborn program producer last season.

after pleading not guilty to charges of extortion and sending a threatening letter through the mails. Fitzell, the man threatened in the letter, wanted to put up the bond, but was turned down by the U. S. Commissioner. The penalty, if convicted, is 20 years' imprisonment and a fine of \$5,000 under the new Lindbergh crime law. Trial will probably be this fall.





# REGIONAL WEBS SPROUT

## Squawked to Death

**'Going to Town,' Although Popular, Thru—Talent Battles, Agency Complaint**

The Lowry has been dropped by NBC and the web's Sunday night sustaining show, 'Going to Town,' is no more. Internal squabbling among the acts, plus pressure from the J. Walter Thompson agency, brought about the program's retirement.

Thompson agency thought the sustainer was attracting listeners from the Chase & Sanborn whirl on WJAF and so started to advise the NBC sales department several weeks ago. When the cast in 'Town' took to quarrelling over billing and relative amount of continuity, the network decided to discard the whole stamoa and attack something other than a variety gettogether against the coffee account. 'Going to Town' had been on the air 22 weeks.

Ryan and Noble retain their Tuesday night inning, while Leopold Spitalny will be given a half hour on some office evening to build a musical sustaining program of his own. Grace Hayes was another 'Going to Town' name.

## Erector's Annual Whirl

A. C. Gilbert Co., maker of erector toys, returns to NBC Oct. 15 for its annual pre-Christmas campaign on NBC. It's using an early Friday evening spot.

Show the account has picked for the kids is a dramatic affair tagged 'Thrills of Tomorrow.' Last season it used Frank Duck.

## Rockwell-O'Keefe Place

### Boswells on Woodbury

Boswell Sisters have been set for a 13-week run with the Bing Crosby-Woodbury Soap stamoa, which starts on NBC Sept. 18. Engagement of the frame team eliminates the guest star policy previously planned for the spot. Also out is the idea of interspersing the program with dramatic bits.

Georgie Stoll has the band assignment. Entire show will originate from Hollywood. Boswell Sisters entrained for that point last Thursday (30). All bookings for the Woodbury half-hour were through the Rockwell-O'Keefe office.

## Sponsors

**Past Blue Ribbon** passes from Mattoon-Fogarty-Jordan agency along with Account exec Phil Morris to the brand-new agency, Morris, Windmiller and Einsinger. Robert Windmiller is from O'Carroll Mop and Einsinger from United States advertising agency. Main office of new agency in Chicago.

**William Root Beer** (Hartford, Conn.) new air advertiser on small scale. Remington Agency, Springfield, Mass., is agency.

**Barnsdall Oil** may do some radio advertising this semester.

## PETRY LINKS

**4 IN TEXAS**

**WOAI, KPRC, WFAA, WRAP Make Telephone Tells Commissionable to Agencies—Quality Group Active**

## A TREND?

Chicago, Sept. 3. Regional networks send down more roots this month with the establishment of two indie webs. One in the Texas network containing WOAI in San Antonio, KPRC in Houston, WFAA at Dallas and WRAP at Fort Worth. The other is the signing of WGN, WOL, WLW and WXYZ in a co-operative network. This latter web has been discussed in print from time to time but it becomes increasingly a reality. Lord & Thomas agency, Chicago, has okayed four stations for the Horlick program.

New Texas web is the work of the Edward Petry special representative outfit. Representing a combination strength of 151,000 watts, the web is using regular telephone lines despite early reports that the network would be tied in by Western Union or Postal Telegraph lines.

Line charges setup for the Texas group represent a radical departure from all previous network arrangements on line charges. The cost on the Texas web is far below usual (Continued on page 42)

## NRA Hypo Peps Texas-Tennessee Area; Radio Stations Reap Benefits

### Name Watson Humphrey Prog. Dir. of KEX-KGW

Portland, Ore., Sept. 3. Watson Humphrey, formerly continuity writer of KEX and KGW, Portland, succeeds Archie Presby to the post of program director of the two stations. Humphrey has been with KGW about a year, coming from Boise, Idaho.

Presby remains with the organization in the capacity of director of special events, a newly created department which will handle these broadcasts for local and NBC outlets.

### KYW MAY REMAIN IN CHICAGO UNTIL JAN. 1

Chicago, Sept. 3. There is a growing possibility that KYW, the Hearst Herald-and-Examiner station, will not quit Chicago for Philadelphia on the appointed day of Oct. 23. Due to reported building delay in the eastern town, KYW may not switch locations until Jan. 1.

At any rate, KYW salesmen here are informing all clients of the delayed switch to Philadelphia, stating that the reason is that the Philly studio and transmitter will not be ready until the first of the year.

Count Morner, one of Peggy Hopkins' ex's, is agenting radio acts.

Chicago, Sept. 3. Radio stations in the Southwest are enjoying a special boom all to themselves. And it's all due to the government and the federal building and reconstruction projects in that part of the country. With government money flowing easily, the would-be national radio advertisers are finding the southwest a ripe spot for testing programs and products on the ether.

Some 17 new programs have been, are being tested in the Texas to Tennessee territory at present, and the advertisers are reporting themselves as satisfied with the response. Particularly the results are good in the Tennessee Valley project territory.

Among the programs tested in that territory recently have been Montgomery Ward, Boyer, Red Heart, Cal-Aspirin, Pathfinder and Willard table.

Particularly has it boosted stations of known strength as WSM, Nashville; WFAA, Dallas; the St. Louis stations, WRAC and WMC, Memphis; KORS in Amarillo, and the New Orleans, Texas and Little Rock outlets.

## ON MAYBELLINE AIRER

Hollywood, Sept. 3. Jimmy Fidler has spotted Bebe Daniels for his first Maybelline broadcast over NBC, Sept. 18.

Gloria Stuart is guested the following Sunday.

Harry Jackson's combo will dish out the sharps and flats.

# Phil Spitalny has a fine New Act FOR RADIO

To men who want something different and "Special" in a program!

This act is playing at the Capitol, New York, this week and next.

Seeing it is better than an audition, because you can measure AUDIENCE RESPONSE.

You'll see, without an audition, that it's also GOOD RADIO.

It offers opportunity for exceptional continuity through a long series of programs every one with A SMASH OF SHOWMANSHIP.

READ ON

## N.Y. Stations Start Sales Race; WMCA Boosts Rates; WHN App'ts Sales Mgr.

Harry W. Melton, for the past four years St. Louis representative of Scott Howe Brown, has been appointed sales manager of WHN, New York. He takes office today (4).

This marks a first move on WHN's part to set up on a competitive commercial basis. Station has not had a sales manager. Last May the Low interests combined several small stations with WHN and now operates full time at 1,000 watts. A Brooklyn studio in Loew's Metropolitan theatre is due to open in a fortnight.

Major Edward Bowes is nursing WHN along and is strengthening the program schedule, with the ultimate intention of placing WHN in a position to fight for advertising along with WOR, WMCA, WINS and WNEW.

### WMCA Rates

That the metropolitan New York stations will become increasingly competitive seems clearly indicated. Station WMCA last week announced to the advertising agencies a boost in rates effective Sept. 8, sending the night rate from \$225 an hour to \$300 and fixing the day rate at \$250 an hour. WMCA explains the boost as justifiable in the light of strengthened staff and programs and that the station has become the key of the ABS regional web.

WINS has lately stepped up its sales tempo under the over-catchership of Jesse Kaufman, Hearst g.m., and the station management of R. M. Ferguson. WNEW is struggling for a foothold, while WOR generally classed as one of the metropolitan area 'Big Four,' seems set for a drastic revamping of policy.

Johnny Miller, announcer with WBSZ, Winston-Salem, for past three years, has resigned to accept a post as announcer for WBOC at Greensboro. Took over his new duties Sept. 1.

## Cantor Starts Oct. 7

Eddie Cantor's on again off again Chase & Sanborn return is on again, this time for keeps, and he goes on the C&S Sunday night spot for eight weeks commencing Oct. 7. Succeeded Jimmy Durante on that date.

Eight C&S spots will terminate Cantor's contract with the coffee show, after which he starts on Pebecco for a run lasting the balance of the season. Pebecco is a half-hour program, as against the C&S full hour.

Cantor completes his work in 'Kid Millions' for Goldwyn on the Coast next week and is due in New York a week or so later.

## Lou Holtz with Vallee

### From L.A. After Oct. 5

During his stay in Hollywood Rudy Vallee will have with him on the Fleischmann show Lou Holtz and the latter's stooges. Program at that end will be handled by Cal Kuhl, producer in J. Walter Thompson's Los Angeles office.

Vallee is scheduled to arrive in the picture colony Oct. 5 to start his production for Warner Bros.

## Tidewater WBBM Sports

Chicago, Sept. 3. Tidewater Oil Company has taken over sponsorship of the sports review on WBBM.

Program rides six times a week from 9:15 to 9:30 p.m., with Pat Flanagan.

## Sig Rombert Back East

Hollywood, Sept. 3. Sigmund Rombert leaves here tomorrow night (Tuesday) to prepare for New York for his NBC programs.

He was here on a one-picture deal on Metro's 'The Night Is Young.'

## Girard Ellis Set

Chicago, Sept. 3.

Setup of the new Brunswick-Columbia recording outfit here was established last week with Girard Ellis, formerly with Brunswick Recording, going in as chief of the local B-C office.

Brunswick-Columbia studio now located in the former Columbia phonograph lab, with the new Decca company having taken over the former Brunswick recording studio. Girard is intimately acquainted with spot broadcasting, having formerly been a general station representative.

## Coin Turnstiles on Radio Programs Can't Get Anywhere in N.Y.

Proposition to convert the Casino, formerly the Earl Carroll, into a 'Theatre of the Air' has blown up. Behind the idea had been a real estate promoter and an advertising man. What they intended doing was obtain commercial business for local stations, broadcast the programs from the theatre and charge an admission of 50c to these events. For two months prior to the foldup the pair held auditions of talent that they hoped to sell to advertisers.

Crosby Galge earlier in the year announced a similar project for the Selwyn, another Broadway legit spot, but the thing never got beyond the announcement stage.

## Repeat 'Goldbergs' Within Month at A.C. Pier

Gertrude Berg and her company presenting 'The Goldbergs' played over the Labor Day week-end at the Steel Pier, Atlantic City. It's a repeat within a month at the Pier and first time on record for so quick a return at this spot.

Public picks up 'The Goldbergs' for an additional four weeks of picture house date starting Sept. 7 at Baltimore.

## Gov't Action Surprises Webs

Equally surprised by the Government's filing of its suit against ASCAP were the major broadcasting interests. With the turn of the current year, spokesmen for the National Association of Broadcasters, as well as NBC and CBS, had assumed a conciliatory attitude toward music and entered into negotiations with the society for a rewriting of the present license contract on the basis of a five-year term. These came to a halt early in the summer, when the radio coterie suggested that better progress could be made if ASCAP first obtained from its membership an extension of the present contract, which expires at the end of 1935. ASCAP's agreements with radio run out Aug. 31 of the same year.

Immediately following the signing of a three-year covenant between broadcasting and music in September of 1932, indie station operators charged that the negotiators had sold them down the river to the networks and demanded that something be done by their trade body, the National Association about having the terms of the three-year deal not aside and a new contract devised. Into the controversy the NAB brought Oswald Schuetz, who because of a suit he had helped win against the Radio Corp. of America, had garnered for himself the reputation of being a trust-buster. NAB retained Schuetz to prevail upon ASCAP through the propaganda routine to revise the contract.

Schuetz succeeded in stirring up and co-ordinating the resentment in radio's indie ranks, but made no headway in getting a reconsideration from ASCAP. Directors of the Society barred him from any further discussions on the matter because, in his distributive address to stations, Schuetz had referred to the ASCAP boardman as 'racketeers'. NAB's next move was to retain the law firm of Newton D. Baker to press the society. When an associate of Baker's failed in talks with E. C. Mills to arrive at any meeting ground upon which a rewriting of the contract could be founded, the broadcasters took their cry of monopoly against the Society to the Federal Trade Commission and asked that it be investigated. Evidence cited by the Government in its complaint is largely based on the material turned over to it by Schuetz.

At last October's NAB convention in White Sulphur Springs, W. Va., it was voted that subscriptions be collected from among the stations to carry on the fight against ASCAP. I. E. Levy, owner of WCAU, Philadelphia, and a CBS stockholder, was selected as custodian of the war chest. In the negotiations of last spring between radio and ASCAP, Levy was one of the participants.

Music trade is speculating whether the Government's suit wasn't forced through at this time with a particular purpose in view. The NAB holds its annual convention next week in Cincinnati and the guess is that the move was timed to anticipate any concerted query on the convention floor as to what had been accomplished in solving the license fee situation.

Mary Phillips, singing pianists of Providence, who had several spots weekly on NBC before she was taken seriously ill at the start of the summer, is out of the hospital and ready for new assaults on the ether.

L. D. Farnald has quit as eastern v.p. for Earnshaw-Young, Inc. to become manager of the marketing and media department of Fletcher & Ellis, Inc. He will be associated with E. B. Pratt, the P. & H. space buyer.

# PHIL SPITALNY to BUYERS OF PROGRAMS FOR RADIO

Here's an act that can bring something new in showmanship to a radio sponsor—

It can win an audience almost unlimited in number—AND HOLD IT WEEK AFTER WEEK—

It is flexible enough in structure

to shape itself to almost any GOOD product—WITH NO SACRIFICE OF ITS NOVELTY—

It has the wallop EVERY MINUTE—

It has EVERYTHING for its EXPLOITATION—

It can be seen AND HEARD now at the Capitol, New York

READ ON

## Jibe at Announcers

Philadelphia, Sept. 3.  
Studio banquet thrown by WPMN resulted in a poem lauding the ether's poster-faced hero, the control man. Poem was written and delivered by Paul Alger, station p.a.

### TOAST TO THE FROZEN PANS

Distilled damnation, pour it out  
In bumpers, high and wide;  
To the grinders of gain, we'll drink the first,  
To the engineers, the best and the worst,  
The dead-pan guys with the awful throat,  
Who offer the kilowatts preside.

So here's our toast to the silent host  
Of radio engineers;  
The birds who roost in their shells of glass,  
Plotting and planning how best to barnes,  
To convince an announcer he's only an ass.  
Despite the shape of his ears.

Oh, it's bottoms up to the engineers,  
Rages of radioland;  
The mugs who sit on the judgment seat,  
Who wither you out of a vain conceit,  
Then shrieve you up with a joy complete,  
Announcers all understand.

## Sir John Reith Will Pep Air In So. Africa

Cape Town, Aug. 16.

Sir John Reith, chairman of the British Broadcasting Co., arrives Sept. 24 in Cape Town. South African government asked him to come out and overhaul broadcasting and also to give expert advice to improve the whole system.

At present many complaints are heard around about poor reception and programs handed out by African Broadcasting Co.

Predicted the government may take over broadcasting.

## Blackett-Sample Agency, Chicago, Prepares Four Radio Shows for Oct. 1

Chicago, Sept. 3.

Local office of Blackett-Sample-Hummert agency gets into fast action on Oct. 1 with four shows shooting out over the networks for the start of the new season. Going on that date will be the return of the Jack Armstrong show on Columbia's eastern leg for Whenties. Armstrong discs will also be made for additional spotting.

Judy and Jane program returns on Oct. 1 for Folger coffee on the western half of NBC red. Betty and Bob show for Biograph gets going also. Besides, the agency is readying a series of radio discs for individual spots.

Agency will continue with the College Inn program locally but will likely build a new show, with Pete Peterson, chief of the agency's radio department, now mulling new ideas.

## BEDTIME SPONSORS MULTIPLY, PUSHING RADIO ADVERTISING CURFEW TO 11 P.M.

### Shell Drops 'Pastures' Idea on Suit Threat

Hollywood, Sept. 3.

Shell Oil Co. was all set to put on a scene from 'Green Pastures' with Clarence Muse reading the lines on the CBS Coast Show tonight (Monday), but threat of copyright prosecution quashed the idea. Muse working with the Frieden Shaw chorus instead.

## HUNGER STRIKE FOR WAGES WINS

Mexico City, Sept. 1.

A hunger strike to obtain back wages was called by employees of station XEAL. There were about 80 actors, actresses, technicians and office workers involved in the desperate measure to force action. Some of the employees went foodless for 32 hours and had to be rushed to hospitals for treatment.

Disorder cases attracted wide attention and caused the Federal Department of Labor to step in. As a consequence \$5,000 to meet the deferred payroll was raised and the boys and girls were paid off.

WCCO, Minneapolis Columbia chain station, visited by W. J. Williamson of Radio Sales, and Kelly Smith, sales manager of WDBM, Chicago, and Jack Van Valkenburg, president, KNOX, St. Louis.

### Stations Jammed Prior to Usual 10 p.m. Sponsorship Deadline So Added Hour Becomes Desirable— Apply Peak Rates Instead of Previous Day Scale

Chicago, Sept. 3.

In the past two weeks radio has shown a remarkable spurt in this territory with agencies and sponsors who have never before contacted radio, entering the ether field. Agencies which nobody ever heard of are suddenly asking questions about time, stations and programs.

Stations are already solid in the evening, and many are sold straight from five in the afternoon to 10 at night. Sponsors and agencies are pretty well certain what stations they want, and those transmitters which have shown consistent popularity and showmanship are really jammed up with accounts in the evening.

It will mean the extension of the 10 p.m. limit on commercial shows to at least 10:45 and maybe 11 p.m. Indications are already around that sponsors are getting away from the old-time hesitancy about accepting any period later than 10:15 in the evening. This season the sponsors are not hesitating about taking the 10:15 period in the Midwest following the Amos 'n' Andy ride, depending on a certain amount of carry-over listeners.

### Soaring Rates

So obvious is it that the advertisers are willing to accept the late periods that stations are changing their rate schedules to include the 10-11 p.m. hour in the top rates. Previously, time past 10 o'clock at night was accepted at the cheaper day rate. Latest to issue the new schedule is KFI in Los Angeles, putting a new rate schedule into effect

on Sept. 1, which will call for the full night tariff on all shows up to 10:45 p.m.

Scramble continues between station representatives and NBC to sell the available periods first, in order not to be shut out from the possible revenue. With NBC piling up network shows the station representatives of NBC outlets are hustling around trying to get spot contracts signed as soon as possible, spot station reps fear that they will lose big revenue possibilities.

### Announcements Fade

Minute announcements are out in the alley as far as evening time is concerned, the stations being so cramped for time for regular 15-minute programs that they won't bother with the 60-second plug. Stations have never had much here from the minute-plug but in the past had to accept them for want of something better. The better has arrived and the stations wherever possible are losing no time in killing off the 60-second show.

Radio disc companies are not even bothering to try to sell minute platters to advertisers, realizing that these advertisers will only find extreme difficulty in getting the discs placed on desirable stations, causing much fretting among the sponsors that it would only result in the ultimate detriment of the radio music industry.

### Campbell Joins CBS

Band division of the CBS Artists Bureau has added a fifth member to its staff. He's Norman Campbell. Campbell formerly operated on his own in the same business.

## A SHOW - Not Just an Orchestra



## MUSICIANS - Not Just Girls

READ ON



## New York Radio Parade

By Nellie Revell

In radio circles honeymoons and vacations go hand in hand. Four summer weddings are reported from CBS. Elizabeth Tucker of the engineering dept. wed John Blakemore on June 30. Howard Chinn and Elena Cayton left the engineers to vacation and wed on July 16. Edward C. Hubby and Judy Adams were married on August 16 and honeymooned in Canada. Gibson LaFoy and Marguerite Wright will unite on Sept. 3 and honeymoon in Vermont.

### An Expensive Day Dream

Charlie Winninger was watching a fire at Hotel Gotham from his office at 515 Fifth Ave., absentmindedly peeling the tinfoil from a candy bar when someone handed him a check. Still dreaming, he tossed the check out the window with the tinfoil. The white slip of paper awakened him. He dashed over three roofs searching for the payoff. Finally had the agency stop the check.

### Wallington Again Ties Up

James Wallington, recently divorced by his first wife, a Russian dancer, in Reno last week, married Anita Furman, one of the dancers at the RKO Music Hall, in East Orange, New Jersey.

### When Minds Are Changed

Richfield Oil auditioned two shows at CBS last week. Talent on each show included choir and orchestra. Price and talent were right and agent was sure he had made a sale. Friday they decided to use an electrical transcription, a script which had been used by Shelly Oil on the Coast, and use WOR and WMCA, not the chain.

### Scrambled Notes

Ted Husing was resigned by CBS for four years, which makes a total of eight years for CBS and 11 on the air. Ward Wilson, Peter Van Steeden, and Landt Trio and White have built a program to be auditioned on Friday. Lola Lane, now the frau of Al (movie director) Hall, flew in from the Coast to visit with Rosemary and Priscilla Lane. Irv Rubine and Jay Fagan have split. Phil Cohen, former head of musical production at Par Eastern Studios, and later with Educational, now manager of program dept. at CBS under Henry Heywood. America's Cup races will be on the air for eight days starting Sept. 15. 15-minute shots, four times daily, using both NBC networks. Danny Malone is rehearsing well in advance of his broadcast these days, just his rehearsing immediately before going on air tire his voice. Jerry Arlen, brother of Harold, heard over WMCA and WNEW. Barrie McKinley, of the Camay Soap show, used to call himself Maury Neuman. Freddie Wile, Young and Rubicam press man, to Chicago for week on business. CBS' new show, 'Care and Feeding of Hobby Horses', will stay indefinitely. Ray Reed, WNEW organist, does a Sunday commercial at NBC then Gottschalk is back to WNEW to grind the organ. Mrs. Pennyteather, of the 'Cookoo' show, auditioned her own show for the NBC program board. Palmolive will repeat 'Vagabond King' on Sept. 11. First repeat for these operettas.

### Short Shots

Two commercial shows will be on at NBC opposite Father Coughlin. From 4 to 4:30 WJZ will have United Drug Co. with a symphonic band...and WEAF Father John's Syrup with Carleton and Hovey...which is tip-off on how much evening time is sold since the sponsors

are going in for Sundays, even to bucking the padre...Leon Hoag, one of the better known private detectives (he was top man for Holmes Protection Service and a valuable undercover man for Centar St.) is trying to sell talent at NBC...Joe Bissell, at one time eastern representative for RCA-Victor stationed in Shanghai, added to the engineering staff at WNEW...Messrs Campbell and Van Berran, of KOA in Denver, in town at NBC last week...they were guest announcers on a couple of sustaining shows...Gene Kardos and Jack Mowls into Delmonico with a CBS wire on Sept. 20...Art Landry and Ann Butler have shared four stations within a week after their return to the air...Announcement of Annette Hanshaw's retirement from 'Showboat' had every manager of a girl singer swarming at Benton and Bowles' door...David Warfield was offered \$5,000 per performance for 13 weeks and refused...Al Smith was offered \$15,000 per week for 25 weeks and also said nay...He is waiting to see what his political chances are before deciding.

### Gossip

Young & Rubicam Agency wanted Mac Questel to do 'Betty Boop' imitations on Horden show last Thursday...offered \$100...her manager wanted \$200 and wound up with a no sale...Ossie Nelson at the New Yorker hotel on Oct. 5 with a CBS wire...Andy of 'Amos 'n' Andy', returns two days earlier than expected...comes in on the Aquitania Sept. 7...Marley Sheris, on the last Vallee show, worked for NBC traffic dept. last year...Iini Moore, of Miami, Fla., is new announcer at CBS...Hank Senber, dramatist and columnist of the Morning Telegraph, doing a weekly drama talk at WIIN...later he will switch to a midnight show review...The new Log Cabin show may come on the air two or three weeks later...Client had plenty of grief piping Lanny Ross from Coast for Maxwell show...rather delay premiere to wait for Lanny's return, than open and have to pipe him in from the Coast.

### Stand By

The new one-hour dramatic program for Lux has signed Claude Rains, Felecia Inescourt, Guda Malno and Victor Deercraft as the nucleus of an acting group for these shows...Little Jack Little returns to the Silver Grill at the Lexington hotel on Oct. 19...Richard Gordon, who originated the 'Sherlock Holmes' character, joins the 'Circ-Sale' show in Detroit...ABS will have the exclusive air rights to the Beauty Pageant at the Madison Square Garden on Oct. 3 and 4...Louis and Jacques Gruenberg auditioned again at NBC...this time had Jules Biedase singing for the show...also Edith Haydon and two actors to appear for the Gruenbergs...Alex Woolcott is to be on the show also...Vinnie Regueo, of the NBC pages, took a corner on the early morning spots...Two years for Maxwell Showboat on Oct. 4...and henceforth all Showboat publicity will use the words 'make-believe' when mentioning playing any town...too many loyal friends have been at piers for the boat to come in...Tony Burger, a free lance actor on radio, sends in a sonnet of poetry when a production man or agent is too busy to see him...keeps him working...When CBS puts on the round the world orchestra tour, 'The Knights of the Gray Underwear', from Little America will join in with a harmonica, organ and makeshift drum.

### Wax Works

Adleritz company, St. Paul, has signed for \$9 10-minute electrical transcription programs, at the rate of two to three a week, over WCCO. Plans also are to use 17 other stations. Company went on air in na-

tional campaign for the first time last year and found results so good that this type of advertising is being extended.

Glopsy window shade is hanker-ing for the ether and last week platted some one-minute discs at the RCA Victor studio, Chicago. Deal being set through Nate Caldwell of the local Huthrauff and Ryan agency.

## J. P. McEVoy OUT AS CAMPBELL AUTHOR

J. P. McEvoy is out as scriptist for the Campbell Soap round of the clock, which makes its bow on CBS in October. McEvoy and the agency on the account, the F. C. Armstrong Co. of Philadelphia, disagreed on how the 'Hollywood Hotel' idea should be handled and when they were convinced there could be no compromise it was decided to part friends. McEvoy turned over the continuities he had written for the first four shows, along with a batch of ideas for subsequent installments, and the agency gave him a check in full settlement thereof.

During the week before last McEvoy had several conferences with William S. Paley over the show and CBS freely approved the literary tenor of the shows as the former had them laid out. After the break with the agency McEvoy averred that it would be tough enough writing for somebody with different notions without adding distance in the complications. McEvoy makes his permanent base of operations Hollywood and the agency intends to run the show from Philadelphia. Writer was afraid that most of his time would be consumed in writing explanatory wires.

Campbell is the account that put on a nationwide contest for a prima donna, preferably one new to loud-speaker fans, and wound up with a Minneapolis female who's been around the medium for at least three years.

### KWKH, Shreveport, 100th On Columbia Network

KWKH, Shreveport, La., joins the CBS list Sept. 18. Event will give the network an even lineup of 100 stations.

Columbia's latest affiliate operates full time and at 10,000 watts.

# PHIL SPITALNY'S NEW ACT Capitol NEW YORK Now

a return engagement for the same group after 17 weeks of delighting showgoers here and on tour, earlier in the season.

Makers of two shorts (one Paramount, one Warner Bros.) now being released and to play FOUR THOUSAND THEATRES.

Has clicked on stage and screen—NOW READY FOR RADIO





# RADIO SHOWMANSHIP

(Program-Building and Merchandizing)

## Pop Rally at Studio

SCOTT, IONCO-KR studio A was turned into an auditorium for a Landon-dorf bread pop meeting of satemen and customers when Rush Hughes, the company's radio script author, came here to inaugurate the coast-wide bread program's debut on the Seattle stations.

Hughes, originating the program here for four days' running in its burrhead send-off, gave the boys an earful; and, Tubby Guilman, station commercial manager, missing no opportunity, told them of the "line of radio."

## Utility Programs

Nashville, Tenn. commercial series of nightly broadcasts sponsored by WLAC.

## LEON DELASCO

### Cost-In-Cost

COLUMBIA BROADCASTING SYSTEM  
60 Radio Station, New York, Nightly  
Sole Direction, HERMAN BERNIE  
1515 Broadway, New York

## RAYMOND KNIGHT

A. C. Spark Plug "Cuckoos"

Saturday, 10 P.M., Coast to Coast, WEAF  
"WHEATENAVILLE," WEAF  
Network

Monday to Friday, Inductance  
Starting Third Season Aug. 27

## VICTOR YOUNG SCHLITZ BEER

9:00-10:00 P.M.  
WEEI, Boston  
WEEI, Boston

## GRACE BARRIE

NOW AT  
CASINO DE PARIS

Sole Direction  
HERMAN BERNIE  
1515 Broadway, New York

## EMERSON GILL AND ORCHESTRA

AT THE ANTLERS HOTEL  
COLORADO SPRINGS  
MECA DIRECTION

## CLIFF SOUBIER (OL' PAPPY)

"FIRST KNIGHTS"—Fri., 9:00 P.M., CDET.  
"BINGO! BINGO! BINGO!"—Mon., 8:00 P.M., CDET.  
"TALKIN' FUTURE TENSE"—Sun., 9:00 P.M., CDET.

## THAVIU AND HIS ORCHESTRA

At "STREETS OF PARIS"  
Century of Progress  
Inquiries Solicited

sored by the Tennessee Electric Power Company. Programs, which will be heard at 7 p. m., will include "The Keweenaw," mythical electrical servant, who supplies the solution to many a household problem with suggestions concerning the use of modern electrical appliances.

Special leased wires will carry the broadcast over station WDDO. Thrilling adventure series, in which two men and a boy start in a speedy yacht for strange ports in search of treasures, is to be broadcast over some stations each Friday afternoon at 2:45 under the sponsorship of the Bond Electric Company. Entertainment is designed especially for juveniles.

## Covering State Fair

KFAB and KFOR here will both take about five hours of their daily time schedules out of the Nebraska State Fair throughout this week while the exposition is in operation. All broadcasting will be handled at the grounds through short wave transmitters.

Plan of the broadcasts will be to interview various visitors at exhibits all over the grounds as to their residence, financial and crop conditions there, and how they are enjoying the fair. Of course, the usual studio exhibit will be maintained and a number of the local programs allowed to give open demonstrations. This latter procedure has been an excellent plan in the past.

## Meap Big Show

Silvercup broad show (originating from WXYZ, Detroit) concerned itself Wednesday (30) with who killed Paley. Paley said Indiana was the winner in the days of the war and accumulated a pocket-full of marbles. Paley was found dead, shot in the back, his money missing, a smoking revolver in his hands and a stranger. "Poley" was suspected!

But there was a dog who loved Paley and the stranger with the smoking revolver was not the murderer, but that valiant plainman, the Lone Ranger. Between the dog, the ranger, and a remarkable Indian named Tonto, whose dialect is granted monosyllabically, the guilty scoundrel is revealed. String-up posse that a few minutes before was intent upon tracking the lone ranger thereupon releases the prairie Craig Kennedy with a heartfelt apology for the injury they almost did him yesterday. There do not, as might be expected, burst into "Aud Amos" but the ranger gets three rousing cheers and gallops off on his super dog, Silver, as the WXYZ turntable grind out strains of "William Tell."

It sounds pretty 16-20-30. And it is. But nonetheless effective as juvenile excitement. Different episodes are lap-dissolved with atmospheric music and the whole thing moves with the swiftness of a slip. The same slip and literary standards that the King Brady novels used to have in their favor.

Dialog contains some gems of melodramatic twaddle. Says Tonto, the brainy but factious Indian, "Him-know-heap-plenty." Says the Lone Ranger in the dark cabin, "Hello, that dog. I kick. Why there's a gun on the floor. That's no place for a gun" (verbatim).

## KXL's Own Carnet

Portland, Ore. KXL believes in shouting its own praises and is not a bit modest in telling its accomplishments.

Having no newspaper in which to banner its achievements, in contrast to other local radio stations, KXL has recently to its listeners that it is keeping its promise to "scoop all other news gathering agencies, newspapers and radio, and, oddly enough, that is what happens quite often. During the turmoil of the past longshoremen's strike KXL had a staffman at all strategic points and kept the public informed at all times during the 90 days of strike.

## Dalton's Lucky Soap

Philadelphia. Policy of scoring news scoops led WIP into a prize situation last week. While all stations and newspapers were striving to gain audience to the local Eastern Penitentiary for accurate version of the prison's riots, WIP's news, Han Dalton, held the situation in the palm of his hand, from the inside. Dalton, visiting Warden Smith for an interview relative to a near-by prison outbreak while all was quiet in the Eastern Pen, found himself penned in when the riot broke out there under his nose. Fearfulness of the situation made Dalton's exit impossible and forced his spending the day and night within the goal. Later witnessed the entire riot proceedings, the unruly leaders receiving stringent doses of D.D. gas in the cell blocks, a treatment which sent the tough mugs back behind the bars fueling like so many rabbits after the annual apple.

Allowed his freedom the follow-

ing day, Dalton rushed to the WIP studio for special airmail eye-witness account of the jail upheaval, scoring a news beat over the entire town.

## WHAM's Yacht Races

Boston. WHAM, Rochester, scores in its presentation of the Canada Cup yacht races in which the Rochester boat won in three straight races. Walter Farley, a member of the crew in the same boat in 1932 and an authority on yacht design, was at the microphone rigged up on a boat following the races.

He gave a colorful and intelligent description of the contents from the inside angle and the short-wave transmission was consistently good.

## Retirement With Pump

Minneapolis. WCCO, Columbia class station, here, put on unique special 15-minute program in honor of U. S. Purcell, local federal weather forecaster, who retired on pension after 28 years of service. Retirement of Purcell, whose name has figured much in public prints and who is considerable of a character, got considerable newspaper mention and WCCO program figured in some of the stories, getting valuable publicity for station as well as good-will.

Earl Gammons, station manager, conceived idea of program and was in direct charge of it. The program consisted of songs and musical numbers associated in various ways with the weather, some groundswell kidding of the weather man by the announcer and Gammons, a tribute to Purcell and a few words by the latter. It attracted considerable notice.

## Police Dept. Tie-up Oinks

Port Wayne. As a result of WOWO's "Man on the Street" broadcast during local safety observance week last week, traffic accident, has been asked to speak on the radio stunt at the National Safety Council convention at Cleveland. The station manager, who headed the program, and deemed it important enough to present before the visiting delegation.

Modified Maxwell, program director, was also present during the street contacts which took place Saturday evenings at 8 o'clock over a period of weeks. Police employed this means for the first time this year and is considerably sold on the idea as a punch approach to safety caution.

## 'On Time Club' for Kids

Des Moines. Colonial Brand, Des Moines, has a new program on KSO called the "On Time Club" from 8 to 9:15 every school morning. Program is for the school kids and gives them the exact time every few minutes. Program started off well through a tie-up with the city safety campaign, warning the youngsters of traffic dangers, etc.

## Tip to Motorists

Lancaster, Pa. Aiming at monopolizing at least a few of the "at home" hours of motorists with a post for going places, WGAL has a special program period for holding their interest.

Each week a complete trip is outlined by the Lancaster Automobile Club and presented during a special program on Saturday evening.

Suggested trips range anywhere from 75 to 300 miles and the motorists are given concrete information as to route numbers, condition of the roads, historical data and so little emphasis on the scenic beauty of other special attraction of the trip. Special program is piled on historical spots and upon educational features.

Program has been a regular feature of WGAL for slightly more than four weeks, and many motorists in this section plan their weekend motoring according to suggestions contained in the program.

## Sex Appeal on Air

Lincoln. K. A. has a lot to do with it when it goes over the air, too, it seems. At least, so found the officials at KFOR here. Station here has been carrying prepared scripts labelled "Little Kmo's Movie Broadcast" and allowing whoever is on the air to pending to be free at its scheduled time to give it. Result was that it rapidly turned flop and lost sponsorship.

Less than a month ago, the station handed the scripts to Jonathan Ann Hopkins, who normally works in the station's "Little Theatre," and she's boosted the fun mail 1,900%.

## Making Friends

Charlotte, N. C. As a special service to a large Charlotte store, located in the same building with the studios of WPT, the station installed a special line and loud speaker, fed off the regular station amplifier.

Hundreds of people had gathered in the store to hear a series of baseball games in which there was keen interest. Electrical interference from the station was a disturbing factor and the station, which took 15 minutes. The crowds cheered the generosity of the station.

## Daily Uses Radio

Portland, Ore. Car line "Where's Elmer?" has given way to Portland's new drawl query "Who's Lil Abner?" all because of a recent teaser campaign over stations KGW and KEX. Reason for the campaign was the addition of a new comic strip to the funny page of the Oregonian, the hillbilly saga of Lil Abner, 6 feet 3 of spanking hillbilly, launched debut in the columns of the Oregonian, humorous teasers couched in hillbilly style were flashed over KGW and KEX for a week in advance, their frequency increasing toward the end of the week, with the radio build-up culminating in a Lil Abner edit on KGW Aug. 19, the night before the release of the new comic strip in the newspaper.

Result of this radio teaser campaign was to put the question: "Who's Lil Abner?" on the lips of radio listeners throughout the area serviced by KGW and KEX, and created a healthy curiosity which boosted Oregonian circulation in a most satisfying manner.

## Sustainer Goes Commercial

St. Paul. With announcement of the passage of the National Housing Act, KSTP immediately went into action with three half-hours a week in which various guests and announcers, each on authority in his own line, explained to the listeners the intricacies of the new legislation.

One period it's a banker; another time it's a plaster contractor; again, it's a cement works boss, etc.

Result is that while the period, which is brightened with bits of music, was originally designed to make the new law understandable to laymen, listeners' desirous of home modernization wrote in to the station that switching the stunt into a comshow was no trick at all.

At present, the program is tied in with eight various business supply companies, all sharing cost of the time. Talent cost is nil, as the authorities are only too tickled to spot, and the music is incidental stuff by the studio ark.

## What interests Women

Wilmington, Del. Newspapers, street cars, theatres and window displays are all being tied up by WDEL, this city, to introduce the latest program and a new segment, personality, billed as Betty Lou. Program is set for a three-a-week spot for Mildred Lindberg, actress and reader.

Piece is a women's feature with lots of stuff about styles, diets, social gossip, manners, and advice with the introduction of a local artist on each for a "howdy" and a brief stunt.

Star, local Sunday paper, has eye on feature to complete tie-up, an similar stunt they are planning for special edition. It has been boosting the program. Paper also worked deal with themselves to run trailers on their own stand on the radio broadcast. Window cards carrying paper and program plugs were also scattered through display windows by the sheet.

## Screen-Radio Play Gail

Hollywood. With a three cornered tieup, Allan Jackson, KFWB salesman, put over a bonnet for 3,000 orphans that scattered its effects in all directions. Having landed the Sweeney Playbig Wiggy account, Jackson evolved a plan to keep the sponsor happy. He sold Warner Bros. on the idea of removing the Family Circle from the stage of the Hollywood theatre with the added attraction of a stage show. House took it big and spotted Joe E. Brown as space. After the stage and air show, kids were surprised with ice cream and candy and then shown "The Circus Clown." Sweeney helped along the bally by banning 60 trucks for a week and hanging streamers in 500 stores. Warner publicity department promoted 12 double deck buses to transport the youngsters.

Shaw went out on the air for 45 minutes as Sweeney's and the stunt was sure a huge success. Sweeney so elated over the good will effect that banquet is being tossed for everyone connected with the promotion. Just an instance of the Kon and Lamb lying down together and both getting up. Screen and air forget their rivalry when there's mutual good to be had.

## Radio Salutes Citizen

Portland, Ore. A radio party was the birthday present KGW, the Oregonian, Portland, gave the city's Number One citizen, former Mayor George L. Baker, Aug. 29. A 15-minute spot was chosen for the occasion. Portland's present Mayor, Joseph K. Cannon, and a number of other local citizens spoke their greetings to Mr. Baker and to the listeners on the air.

Baker, now 65 years old, has recently retired from politics after serving 16 years as Mayor, to go into private business.

## Hairy Chests

Charlotte, N. C.

WPT gave a new twist to sports programs last week when the weighing in of boxers for a fight card was arranged in the studios ahead of the evening arena appearance.

Present in the studio were members of the boxing commission, the physicians who made the examinations and tabulated the weights, some 30 fighters to appear on the card, and managers, promoters, and ring attendants, making a total of 75 persons.

Called on to say a word, while in the striped state, one of the featured fighters of the card said: "You caught me underwears." It was no program for the television equipment, but it was a good showman's stunt.

## Thomas "FATS" WALLER

"Radio's Marmalade Little Armful" On Entire Columbia Network

3 TIMES WEEKLY

8:00 IN THEATRE

Headlining Week Sept. 7th

RKO ALBANY, BOSTON

Direction: PHIL PONCE

WGM STUDIOS, CULVER CITY, CALIF.

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# RADIO-MUSIC SHUTDOWN

## Music Biz Unworried

Government's action against the pop music industry seems to have aroused little concern in Tin Pan Alley. Sentiment prevailing is that if the suit serves to accomplish anything, it will be to stop the factional squabbling that's been going on in the Society and bring the component parts together for a united front. Also, that it will for all time clarify the issue as to whether performing rights can, under present usage conditions, be marketed properly, efficiently and economically for all concerned in any way other than through central channels, such as ASCAP.

Being investigated is nothing new to the performing phase of the industry. It's been the object of Washington's attention every time it has sought to collect a license fee from some new class of music user. But this action is the first that has ever been brought against the industry organization by either state or federal authorities. Music business has been aware for the past year that its affairs were under the scrutiny of the Federal Trade Commission. Only three months ago the standard publishers' organization sent out to its membership a circular letter advising that the FTC was making inquiries and collecting data around the field. Until the suit broke last week the pop camp was under the impression that Washington had completed its investigation of both ASCAP and the MPPA and decided that there was nothing to litigate about.

Attorneys who specialize in music cases are of the opinion that the Department of Justice did not bring suit because it thought it had a strong case, but because it felt that the only way to settle the constant bombardment of complaints from users against the industry would be to toss the whole thing into the courts and let the latter solve the issues involved. These lawyers say that should the courts hold that ASCAP is illegal, the consequences would be far-reaching. Such decision would not only throw the American field of music into turmoil, but bar foreign societies from seeking to collect fees from them through a central agency in this country. This impediment would develop international complications that the State Department itself would have to step in and straighten out.

Inclusion of the MPPA and the MDS in the Government's action has for its origin the \$1,125,000 anti-trust suit which Max Mayer, of the Richmond-Mayer Music Co., brought against some 20 publishers in the fall of 1932, or shortly after the MDS was organized. This suit was tried before Judge Bryant in the N. Y. Federal Court last April and the decision handed down declared that the evidence produced by Mayer had not proved the charge that the MDS was an illegal operation.

While the case was pending, Mayer's counsel asked the Federal Trade Commission to investigate the distributing combine, turning over at the same time a mass of data purporting to show an interlocking of interest between the direction of the MPPA, ASCAP and the MDS, and how all this tied up with the formation and operation of the MDS. Settlements that Mayer obtained from nine publishers while the trial of the case was on forced the disbanding of MDS, but as yet no certificate of dissolution has been filed for the organization.

## GOV'T SUIT PUTS FIGHT IN COURT

U. S. Charges ASCAP, MPPA and MDS Violate Anti-Trust Laws—138 Publisher-Writer-Defendants Have 20 Days to Answer—Gov't Asks Pending Infringement Suits Held in Abeyance

### MISSSES NOTHING

Controversy between radio and music was brought to an anti-climax last Wednesday (30) when the U. S. Department of Justice filed suit in the New York Federal Court under the Sherman Anti-Trust Law against the American Society of Composers, Authors and Publishers, the Music Publishers' Protective Association and the Music Dealers' Service, Inc. Government's action asks that all three organizations be declared illegal, that all agreements involving the trio be ordered void, and the members of ASCAP, the MPPA and the MDS be enjoined from joining similar organizations. Defendants, numbering 138 publishers and writers, have 20 days in which to file an answer to the allegations.

To prevent the Society from moving against copyright infringers while the Government's action is pending, the complaint asks that each suite be ordered non-permissible, providing the user puts up a bond to secure the payment of a reasonable royalty. Amount of the bond is to be fixed by the court.

Over 90% of the Government's complaint is devoted to the wrongs radio is alleged to have suffered and is suffering at the hands of ASCAP. ASCAP is declared as holding a monopoly of the right to license performing rights of music; that it has created this monopoly by preventing its members from competing for the sales of these licenses, and enhanced the conspiracy by refusing to furnish the licensees with a list of the compositions that the Society has the right to license.

Radio, avers the complaint, has become the principal medium for the transmission of music to the public, and that ASCAP, through its alleged monopoly, has acquired control of radio broadcasting as far as the public's hearing this music is concerned. Tied up with these allegations is a statement on the part of the Government that radio has become the most important source of revenue to the music industry.

MPPA, MDS, ASCAP Interlocked  
Interlocking of the Society, the MPPA and the MDS is effected by the assertion that practically the same names appear on each organization's board of directors. Government charges that the MPPA and ASCAP co-operate in enforcing payment of royalties by users. MPPA is accused of subjecting broadcasting to double payment for a song's use by collecting a fee from electrical transcription makers.

Summons is laid by the complaint upon the fact that the Society in taxing the commercial income of a station also taxes the payments derived from programs not using music.

### Jimmy Grier's Pact

Los Angeles, Sept. 3. Contract calling for exclusive services of the Jimmy Grier orchestra to furnish musical accompaniment for all Brunswick recordings made on the Coast during the next year has just been signed. Grier also contracted to make a minimum of 40 band recordings during the year.

First accompaniment music was for four Ruth Etting discs, made last week.

## ASCAP's Gen. Mgr. Characterizes Suit as Endeavor to Evade Paying Music Fees; Not to Test Legality

### ASCAP's Discussion

Government's dissolution suit will come up for detailed discussion at a special meeting of the ASCAP directorate called for tomorrow (Wednesday).

Matter is expected to address the attendance of every board member, with the exception of those detained in Hollywood. Rigmund Romberg, president of the Songwriters' Protective Association, is en route to New York.

## FULL ROSTER OF CO-DEFENDANTS

Title of the action is 'The President of the United States of America' versus the following, and is captioned with the formal 'Greetings.' It's filed in Equity, volume No. 91, page 383, begun in the U. S. District Court, for the Southern District of New York, on Aug. 30, 1934. All the defendants named are either publisher or board-members of one or both of the two active organizations.

The Music Dealers Service, Inc., of course, is no longer existent, having been dissolved following litigation. Those named in the Government action:

American Society of Composers, Authors and Publishers; Music Publishers' Protective Association; Music Dealers Service, Inc.; Maurice Abrahamson, Inc.; Ager, Yelton & Rosenfeld, Inc.; Alfred Music Company, Inc.; Thornton W. Atlas, trading as Thornton W. Allen Co.; Roni Archer, Inc.; Geo. Austin, Inc.; Walter C. Irving Berlin, Inc.; Mike-Lang, Inc.; C. C. Birchard & Co.; Harry Bloom, Inc.; Boston Music Co.; Broadway Music Co.; Ted Browne Music Co.; Country Music Pub. Co.; Campbell-Horne, Inc.; John Church Co.; Composure Music Corp.; Con Conrad, Inc.; Joe Davis, Inc.; Denton & Maitland Music Pub. Co.; Oliver Ditson Co., Inc.; Donaldson, Douglas & Gumbel, Inc.; Famous Music Corp.; Leo Feist, Inc.; Filmore Bros. Co.; Irving as Filmore Brothers; Carl Fischer, Inc.; Fletcher & Inc.; Harold Flammang, Inc.; Forester Music Publisher, Inc.; L. B. Curtis; Sam Goldstein & Co.; Joseph J. Green, Inc.; Pub. Co.; Galaxy Music Corp.; Gamble Hinged Music Co.; Goodman Music Co., Inc.; Hamilton, Inc.; Harlan, Inc.; H. W. Gray Co.; Green & White, Inc.; Handy Music Co.; Harms, Inc.; E. B. Harms Co.; F. B. Harward Publishing Co.; R. L. Huntlinger, Inc.; Walter Jacobs, Inc.; Jerome Kern, Inc.; Leo Kessel, Inc.; J. M. Kessel, Inc.; E. F. Kalmus, Inc.; Kay & Kay Music Pub. Corp.; Keith-Engel, Inc.; Kende Music Corp.; Kornheiser-Schaefer, Inc.; Edgar Leslie, Inc.; Lewis Music Pub. Co.; Loring & Co.; Loring, Inc.; Loring as Loring Pub. Co.; Edw. B. Marks Music Corp.; Mario Music Corp.; McKinley Music Co.; Melrose Bros. Music Co., Inc.; Miller Music, Inc.; Mills Music, Inc.; Joe Morris Music Co.; New World Music Corp.; Orman Music Corp.; Paul-Holmes Music Co.; Photo Play Music Co., Inc.; Theodore Schramm Music Corp.; T. J. Schramm & Co., Inc.; New York; Robbins Music Corp.; Will Rosenthal; Robins, Inc.; Rosenthal, Inc.; E. H. Rosenthal, Inc.; Schaefer & Guther; Inc.; Shapiro, Bernstein & Co., Inc.; Sherman, Gray & Co.; Shuster Music Corp.; Sigmund Sigmund, Inc.; Sonneman Music Co., Inc.; Southern Music Co.; Vail Music, Inc.; Harry Von Tilzer Music Pub. Co.; Milton Weir Music Co., Inc.; White-Smith Music Pub. Co.; Currier, Inc.; W. W. Whitely Music Co.; W. W. Whitely & Sons; W. Wood Music Co.; H. W. & Co., Ltd.; Davis, Crook & Inc.; Hatch Music Co.; Mann Music Co.; George F. Brice, Inc.; Harry Brice, Inc.; E. H. Brice, Inc.; Jerome Kern; Joseph Young; Robert Crawford; Saul H. Bernstein; Rigmund Romberg; Claude Miller; E. F. Blum; Irving Caesar; Walter Donaldson; Walter G. Fischer; Max Yergin; George F. Brice; Walter Fischer; Otto A. Hartlich; Raymond Halden; Robert Leslie; George W. Meyer; Jack Mills; E. H. Morris; Gustave Schirmer; Guy Swank; Joseph Deane Taylor; Will Von Tilzer; Harry Warren; Don Jorgensen; Jerome Kern; E. F. Winkler; John G. Palmer; Lester Santly; Larry Brier; Henry Spiller; Maurice Richmond.

### JACK ROBBINS ILL

Jack Robbins is again confined to his home. Has a day and night fever. His friends taken out a fortnight ago and found the anti-rheumatic, which has had a reflex effect on his stomach.

In a telephone statement from his home on Fire Island, N. Y., R. C. Mills, general manager of the American Society of Composers, Authors and Publishers, served notice on the broadcasters that by pressing the Government to bring a dissolution suit against ASCAP they have anything but succeeded in forcing music to grant them a revision of their license contracts. The Society will fight the issue of its legality to a finish and thereby obtain affirmation from the courts of the principle that the owners of music copyrights have as much right to organize for their mutual protection as any other group of property proprietors, states Mills.

ASCAP, avers Mills, has for 20 years protected the property rights of writers and composers and it will continue to do so until the organization has been declared illegal. When the music user resorts to the law, opined Mills, his courts isn't one of having the facts determine whether the copyright owners is encroaching his rights in a legal way. It is to find a means of not having to pay at all. Until ASCAP came into existence music users habitually and wilfully pirated these copyrighted works, and since the day they have been made to pay they have sought to have the courts help them deprive the writers and composers of their property rights. These users, said Mills, have also done everything possible to prevent the copyright owners from organizing or continuing to maintain central licensing agencies.

Severo Baker and N. A. B. Newton D. Baker, declared Mills, has repeatedly said that he would have the Society dissolved if it didn't yield to his demands as counsel for the National Association of Broadcasters. As for the Government attorneys hooking up of the directorates of ASCAP, the Music Publishers' Protective Ass'n, and the Music Dealers' Service, Inc., the whole thing, avers Mills, stings up as so much bosh. What if the same men happen to be among the directors of the three organizations? The connections are none but logical since they happen to be the leaders in the business.

Until that day that the country's highest court declares the Society illegal, stated Mills, the users will be expected to live up to their contracts and continue to obtain licenses for the use of music owned by ASCAP members. He said he hoped that it wouldn't have to take a dissolution of ASCAP for the user to realize how well off he is with a service organization of this type. Available to him now is a place where he can get a license for practically every piece of music in popular use. With ASCAP out of the way he would find himself faced with the necessity of dealing with over 1,500 copyright owners individually, with these spread all over the United States and Europe. Through this method the user would spend in telegrams alone what he now pays the Society annually. And even then he wouldn't be protected from slip-ups that would make him subject to one infringement suit after another.

### Decca's Classic Discs

American Decca Co. has started to develop a semi-classical catalog. So far the recordings of this description have been confined to operettas, with the series including albums on 'The Merry Widow,' 'Vagabond King,' 'New Moon' and 'The Desert Song.' Albums will cost at 15 or 16 double-sided discs, and sell for \$15 or \$16 an album.

Operettas are being introduced by Rupert Spaulding, with the vocalists including Bernice Claire and Marie Cuzzo.

## Fox Suit, Following Gov't Action, To Lay Open All ASCAP Books By N. Y. Supreme Court Decree

On top of the Government's action against the American Society of Composers, Authors and Publishers, and others, the most sweeping court order yet in the annals of ASCAP has been granted and signed by New York Supreme Court Justice Louis A. Valentine in the suit of Sam Fox and Harry Fox, doing business under the firm name of the Sam Fox Publishing Co.

It is a decree by the court ordering ASCAP to produce all papers, books and records in Special Term, Part II, of N. Y. Supreme Court, which would virtually lay open on the public records all the inner workings, operations, collections, finances, disbursements, distributions and every other organization secrets of the Society.

Resents 'B' Status  
This suit by the Fox Music Pub. Co., a member of ASCAP, against the society, develops from a dissatisfaction by the Fox brothers with the society's treatment of them and their business. Hated in the publishers' classifications in 'B,' the Fox concern has made repeated pleas to ASCAP for a higher bracketing which would carry with it an increased royalty dividend.

Getting no satisfaction, Fox retained Julian T. Abeles for the express purpose of 'laying the society wide open' and the legal progress has brought this order which grants almost 100 interrogatories. These inquire on how the society functions and how much it collects and pays out were to have been returned.

### MPPA PLUM SHRINKS

August Disc Royalty Down \$1,300 from July's \$5,500

Music Publishers Protective Association took a drop during the month of August. Royalty income totalled \$5,300. For the previous month the distribution to publishers from this source was \$5,500.

Difference in the MPPA's collections does not reflect a wane in radio disc production. To the contrary, the organization has enough license money outstanding to make the September score the biggest in the MPPA's history.

### Perry Scouts in Texas

Dallas, Sept. 3. Joe Perry, Western representative for Decca, is here scouting and testing talent for the disc company. He came in from Hollywood last week with a portable recording outfit and expects to wax at least 100 auditions in Texas and the northern border of Mexico.

In returning to the Coast, Perry will pick up tests along the way for shipment to the New York office.

### Stein's London Office

J. C. Stein, figures on Oct. 27 as his sailing date to London to open a Music Corp. of America office in the British capital.

MCA will open, regardless of an international feeling on foreign band bookers, figuring there is sufficient local business and a field for visiting attractions. Leads hands for their handling.

# U.S. Complaint vs. ASCAP, MPPA, and MEBA Detailed in Simplified Language

Herewith is reprinted the essence of the U. S. conspiracy suit against the American Society of Composers, Authors and Publishers, the Music Publishers' Protective Association, the Music Dealers' Service, Inc., and some 130 co-defendants. Each paragraph has been stripped of the legal verbiage and wherever, and otherwise chronologically in a true simplification of the Federal complaint filed in the U. S. District Court.

The full list of co-defendants will be found elsewhere in this issue.

Action was instituted by Harold M. Stephens, Assistant Attorney General, and Andrew W. Bennett and George F. Alt, Special Assistant Attorney General.

The allegations are as follows:

1. ASCAP is an unincorporated association.
2. MPPA is an unincorporated association.
3. MEBA is a corporation.
4. List of members of the defendants.
5. Gives names of persons engaged in active management of defendant companies.
6. Alleges that there are others far too numerous to mention who are also members of the above companies.

**Jurisdiction**  
7. The action was brought under the Act of July 3, 1890, to protect trade and commerce against unlawful restraint. — Anti-Sherman Trust Law.

8. Defendants are in the Southern District of New York.
9. Recites purposes for which society was formed, that is, to grant licenses, collect royalties, etc. It consists of 57 publishers and 969 composers, has a self-perpetuating board of directors (24), who have exclusive and absolute control and management of the company. It is necessary before any one can become a member, to sign a license agreement, a copy of which is annexed to the complaint, Exhibit A. By reason of this fact these 24 persons, who are directors of the board, have the power and do in fact dominate the music industry.
10. The society grants only blanket licenses upon payment of such royalties as demanded. It refuses to grant a license for the public rendition of any single song.

The forms of license issued by it

are attached to the complaint marked Exhibit B, which is one to radio broadcasting stations and owned 51% by newspapers. Exhibit C is one which is owned 51% by newspapers. Exhibit D, license to theatres; Exhibit E, general license.

11. The radio is now the most important source of revenue to the music industry.

12. The society maintains agents throughout the United States to enforce the demands of the society.

**The Association**  
13. The Music Publishers' Protective Association is composed of 40 leading publishers, consisting of approximately 70% of the popular music publishing industry. It is organized for the purpose of securing for the association, a copy of which is attached to the complaint marked Exhibit F.

14. Electrical transcription is the mechanical device used in recording musical compositions and then used in "broadcasting." The electrical transcription manufacturers are required to pay 25c. for musical compositions and 10c. for sheet music. The association, a copy of which is attached to the complaint marked Exhibit G, for musical compositions lasting from three to four and a half minutes, and 50c. for musical compositions lasting four and a half to six minutes. It also requires that separate transcriptions be made for each broadcast. This license right does not include the right to broadcast, for which an additional fee must be paid.

15. There are 19 members of the board, the majority of whom are directors of the society. The president of the association is also V. P. and a director of the society. There exists close co-operation between ASCAP and MPPA to enforce royalty demands of members, using John G. Payne as the medium.

16. This is composed of 12 popular sheet music publishers, who are members of society, and who, but for the existence of the association, would be in competition with each other. The majority of the board of directors of the Service Company are or have been directors of the society and are also members of the board of governors of the association.

17. The purpose of the Service Company is to act as exclusive sales agent in distributing the sheet music of the publishers. Twenty-seven other music publishers subsequently appointed the Service Company as their exclusive distributing agent.

18. Prior to the formation of the Service Company the publishers sold their music through jobbers. The purpose of the organization of this company was to eliminate the jobbers.

**Radio**  
19. Five hundred and ninety-three stations are required to broadcast for a minimum period of time each day. The principal source of entertainment, in fact, it constitutes about 70% of the broadcasts. The only source of income to the radio stations for the use of its facilities, A from business concerns who want to advertise their products, etc. Most of the expense of operating the station is borne by the owners of the broadcasting station.

20. In order to prevent suit for infringement of copyright, it is necessary for the radio broadcasting station to obtain the consent of the owners of the copyright of any music that they wish to broadcast.

**Interstate Commerce**  
(a) 21. Radio broadcasting stations are engaged in interstate commerce. The success or failure of the station depends upon its ability to obtain permission to broadcast musical compositions. Any interference therewith constitutes restraint of interstate commerce. By means of combination and conspiracy among the various defendants, competition in the sale of licenses for use of musical compositions over the radio has been eliminated, and there has been created a pool or consolidation of individual copyright monopolies in the society, by virtue of which the Society has the power to dictate the manner in which the radio stations may be operated.

In sheet music:  
(b) 22. Each publisher-member of the Society prints and publishes musical compositions. Such compositions are sold in interstate commerce. The sale of musical compositions broadcast by radio stations is performed by entertainers located in the studios of the radio stations. Musical compositions which are transported across state boundaries.

(c) The use of radio as a means of developing sales of sheet music.  
23. The essential element affecting the sale of musical compositions

## 3 Points

ASCAP suit is limited by The Fair Play

1. A score by the radio interests.

2. Doomed sort of defeat upon trial, the issues of copyright having been threshed out before.

3. Only rushed into the action, the suit reported similar action by the exhibitors, who in view of expiration of contracts on Oct. 1, 1934, have been protesting since tax increases. Later negotiations must continue, regardless, until the issue is decided. Only effect of the government suit is that the exhibitors' proposed "war chest" for similar (but a civil) action is no longer necessary.

In the transmission of them to the public's ear. Radio is the principal means of such transmission. It thus creates a demand for the printed score. By means of combinations and conspiracy the Society has acquired control of radio broadcasting as a means of applying the public of musical compositions. Thereby, owners who are not members of the Society are deprived of the right to transmit musical compositions in a similar manner, thus affecting the sales of the non-members in interstate commerce. But for this conspiracy, the society, the members would be in competition with each other and with the non-members in effecting sales to radio broadcasting stations of licenses to perform, but for such combination and conspiracy the facilities of the radio broadcasting stations would be available to non-members as well as to members as a means of transmitting to the public's ear musical compositions of members and non-members.

**The Conspiracy**  
24. Several years prior to September 1, 1933, the defendants have been engaged in a combination and conspiracy in restraint of commerce in violation of the Sherman Anti-Trust Law.

(a) 25. Every member has created and maintained the Society as an instrument to promote a combination and conspiracy. The Society has a self-perpetuating board, consisting of 24 persons, who have the exclusive control and operation of the Society. It has restricted membership to those approved by the directors. All the members of the Society have transferred and pooled the sale and exclusive right to perform musical compositions owned by them (See Exhibit A) until Dec. 31, 1935, and intend to continue the same by a new similar agreement.

26. The Society has a monopoly of the right to license the use of musical compositions, and refuses to furnish to the licensee a list of the musical compositions that it has the right to license. Competition among members in the sale of the right to use their compositions is eliminated by the said combination and conspiracy. Radio stations, advertisers, orchestras, theatres and others, desiring to use the numbers of the Society's compositions, have been unable to negotiate for purchase of the right to such use from the members separately and individually, but have been obliged to obtain the license of the Society upon the terms and conditions arbitrarily fixed by it.

(b) 27. Competition between members has been eliminated, and because of the combined power obtained through pooling of their interests, have collectively refused, through the Society to license the public performance of their compositions, except on a basis of a general license covering any and all musical compositions of all of the members, and except upon a basis of arbitrary royalty for such license fixed and determined by the Board of Directors of the Society.

By reason of the fact that the Society has acquired control over the public performance by so great a number of copyrighted musical compositions, it has been possible for the radio broadcasting stations to operate without at the same time using the material of the Society. By reason of this fact, the Society must either accept the license to use copyrighted compositions owned by the Society on the terms and conditions imposed by the Society, or else subject themselves to numerous infringement suits.

28. Each year members of the Society have concertedly demanded and have received from radio broadcasting stations increased amounts of royalty for the license of their compositions. On April 11, 1932, the Society demanded that radio broadcasting stations that it would thereafter issue only general licenses covering all musical compositions of all its members. It required the payment of annual royalties in approximately equal amounts to royalties theretofore paid. The increase in the amount of royalties was derived from the use of radio broadcasting stations from whatever source derived. This was a 40% increase in the amount theretofore paid. Because of protest and resistance, the Society has threatened to sue radio broadcasting stations and attempts

# London's Fading Nite Life Sends Gammons to U.S. for New Faces

London, Aug. 29.  
A serious shortage of orchestra leaders in London's night rendezvous, especially the hotels, is causing a grave falling-off in attendance which is perturbing the managers. Inlanders state the reason for the shortage is that the regular imitators are staying away primarily through being tired of dancing to the same old night after night and year after year.

Shortage is by no means confined to band leaders. It is just as acute where entire aggregations are concerned, due to lack of sufficient musicians with the right kind of personality for that type of work.

The Savoy hotel management, which also controls the Berkeley and Claridge's hotels, are sending over Carroll Gibbons, an American band leader, who has been with this management for several seasons, to try and formulate a scheme, in conjunction with the American Musicians Union, whereby interchange of bands between American and English hotels could be arranged.

It is understood that such an arrangement is agreeable to the American Musicians Union, the English Musicians Union would in turn prevail upon the ministry of labor, who at present are definitely opposed to the idea of importing foreign bands for English hotels, the desirability of such a movement, with the ministry likely to adopt a more favorable attitude. Such permits would probably be for six months with options.

Carroll Gibbons sailed for America today (Wednesday).

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# Long Beach Sked In Cal. Keeping Bands at Labor

Los Angeles, Sept. 3.  
With night spots at the nearby California beaches staying open throughout September, month later than usual, three Music Corporation of America bands will stick hereabouts until early October, at least. Jay Whidden orch at the Danville club, Kay Kayser combo at the Miramar, and Don Cava's band at the Cas del Mar, all in Santa Monica.

Gus Arnheim's management at the Hotel Ambassador Coconut Grove terminates Sept. 23, with Ted Fie Rito moving in. Arnheim combo will do six weeks of one-nighters in the Pacific northwest in houses operated by Frank Newman. Late in November comes the new combo, the Coconut Grove House on Texas, resuming until Feb. 1, and then moves on to New Orleans for a run at Club Forrest during Mardi Gras.

Orville Knapp orch has been out for the Club Victor, Seattle, by MCA, opening Sept. 11. This is a Tommy Lee Artists' Bureau combo which MCA is currently taking care of on bookings.

Dick Jergens opens at the El Francis, Fresno, Sept. 18, in conjunction with the new four show, Earl and Josephine Leach are already set for the engagement.

Bilo's opening date on the Campbell tour program over the Columbia Broadcasting Corporation's not set for Oct. 5.

A musical thrill from Connecticut  
**NORMAN CLOUTIER**  
and his Merry Madcaps  
orchestra, making radio  
listeners happy with WTCN,  
Hartford.  
Hear them play  
"I SAW STARS"  
"A NEW MOON IS OVER BY"  
"WHAT ABOUT ME?"  
"LOST IN A FOG"

**ROBBINS**  
MUSIC CORPORATION  
195 SEVENTH AVENUE  
NEW YORK

*Bobby Sanford on the Showboat in 2 months grossed \$82,239.75 for big grosses - floor shows - see, phone or write 20th Century*

20th Century Enterprises, Inc.  
19 East 49th St., New York  
Tel. PLam 5-8888

MEYER DAVIS BOBBY SANFORD  
President Production Supervisor

The two outstanding revues of 1934, Bobby Sanford's "Show Boat" and the Sun and Surf Club productions in their entirety, will be available September 8 for engagements in theatres, night clubs and hotels.



# Plan Year-Round Operation of Chi. Fair's Nite Spots With Heating Plants

Chicago, Sept. 3.

They are installing heating plants in a number of the main villages and night spots at the World's Fair. Questioned on the reason for the hot-water pipes the usual answer will be that the villages are getting ready for possible cold weather this month and in October. But despite these replies, the real reason for the heaters is no October or September cold, but November, December, January and the rest of the winter months. The villages at the World's Fair are getting ready for year-round operation as night clubs.

Villages which are going ahead on these plans are Italian Village, Streets of Paris, Hollywood, Old Mexico, Canadian Club, Belgium, Morris England, Spanish Village and the Casino.

Besides the heating plants, the various outdoor spots are figuring on roofs and stronger walls for the wintry winds. Villages are expected to be okayed by the South Park Board which will allow them to operate right through the year as nite club concessions.

Concession owners figure that with the World Fair built-up, there is no reason why they should fold on Oct. 31 with the closing of the exposition season. They feel that a good portion of their trade at present is strictly composed of Chicagoans, who are the real spenders at the Fair nite spots. The out-of-towners are mostly nine o'clock curfewites, who may drop two-bits for an admission fee, but no coin at the tables.

## 24-Hour Run

What started the heating plant and year-round idea was the recent authorization from Fair officials permitting the villages to operate 24 hours daily instead of closing at one a.m. This means that the village will be permitted to keep going until dawn, which is as much as the loop and city nite spots can get. What's more, the concessions figure that the lake-front location gives them leverage to make as much noise as they want without worrying about neighbors.

Beauties and other gambling will be strictly out, according to present plans. The villages, however, figure that they can use the sideshows and "golf" joints as assets for the extra revenue, besides that the joints lead a touch of novelty and color which all local nite spots are striving for. Villages feel that they're in a position to corral the nite club business. They are prepared to spend big money for names, particularly such big spenders as Streets of Paris, Italian Village and the Canadian Club.

Expected that the villages will all close with the Fair, but will start reopening around Nov. 15 with plenty of national bally. Will cooperate on national plugging for the World's Fair of Nite Clubs. Understood they are raising a \$500,000 advertising fund for this purpose.

## Inside Staff—Music

The Stan Fox Music Pub. company civil suit against the American Society of Composers, Authors & Publishers coincides with the sweeping charges made by the Federal Government in its U. S. District Court suit against ASCAP, although it is generally understood that the U. S. action was "inspired" by the National Association of Broadcasters, rather than any dissatisfied or disgruntled music publisher.

The common attitude in the trade is that while intra-ASCAP wrangles exist and may crop up regularly, all would unite in the common cause of protecting the society against any concerted adverse onslaughts from "foreign" interests, meaning businesses such as radio broadcasters, hotel associations, motion picture exhibitors and other large users of copyrighted music, whose best economic interests would be served if they could dispose with paying any music license fees.

On the other hand it is generally conceded that while the government may not succeed in breaking up ASCAP it might force the society into some sort of compromise which is what its adversaries want. Feeling of the exhibitors, radio, et al., is that some more or less fixed basis of compensation be established, rather than be subject to possible further increases after the 3-4-5-6 cents in radio expire. Or the large hit in theatre seat taxes, as regards the exhibitors, where defectors like the Music Hall or Paramount, New York, only find themselves subject to \$1 per seat per year as against the last standard fee of a 10-cent scale.

R. B. Peer of Southern Music is 51% owner and brother of Kornblower-Richter, Inc., and for this reason alone, says Ira Schuster, they are not entertaining any rebuke to Famous Music or anybody else.

It and when Famous is interested in a bid for Phil Kornblower, that's something else apart from the K-R firm, avers the songwriter-publisher, who states that in the eight months of Kornblower-Richter's existence it has been doing fairly well, meeting all bills, etc.

# Frisco's 85-Yr.-Old Cabin Reverts to Hoopla Spot

San Francisco, Sept. 3.

Uncle Tom's Cabin, 85-year-old play spot on highway south of Frisco, has reopened as night club with Herb Meyerhine's act. Spot has been everything from hot roadhouse in days when Frisco cabobs were spending the gold from them there hills, to fried chicken joint for Sunday drivers.

New owner is Bob Grison, former assistant manager of Bal Tabarin, R.F.'s next night club.

## 3 CASINOS MAY COMPETE IN CHI

Chicago, Sept. 3.

Despite the failures of Andy Rebert to establish a Chicago Casino de Paris at the old Auditorium, there are other impresarios around who believe that they have the secret, and they are all out in the field dickering for theatres and striving to be the first to open with the new season's Casino de Paris in the loop. Three groups are now angling for as many theatres.

M. S. Burger, who operates the burlesque Star and Garter, last week took over the former Vandeville Majestic and plans to open by Oct. 12 with a dine and dance spot, patterned after the dine-and-dance theatres of New York.

Oleka and Johnson are also hot for such an idea and have been dickering for either of two theatres. At first tried to grab off the Erlanger, but couldn't get together. Now understood that the viable performers have an option of the legit Court and will remodel to start on the nitty policy by Nov. 1.

Elmager has been mentioned for the Casino policy quite often and

## NIGHT CLUB REVIEWS

### ANCHORAGE

Philadelphia, Aug. 28.

Situated on the River Drive in Philly's leafy Fairmount Park, this nitty has held top sway for more than a year as the local suburban place to go. Spot was rehabilitated from the remains of an elite barge club, famous during the Colonial days, by Arthur Padula, the 24-year-old nitty wizard of the Quaker town. Until the present, policy of the Anchorage had stood mainly on the attractiveness of the place and its neat cuisine. However, the press of competition has forced Padula to institute better floor shows. This week's offering bills the Three Roberts Brothers.

Violet Love, who drew nicely for the Adelphi, Marion Kingston and Jerry Blanchard as new talent, and the two teams of Shepard and Coates and Duxey and Treese as hold-overs.

Spot, although picturesque, presents many tough problems for show production. Place is outdoor and indoor, with the skylight section faced by glare-enclosed handstand. Night reviewed, copious rain forced festivities under roof protection, so that the customers at ringside in the older part of the club, although near the floor, had the disadvantage of a poor P. A. system arrangement, while the cocktail sippers off-floor under the temporary roof heard all, but saw little. Entire club seats a comfortable 650 in a peculiar L-shape fashion, which leaves most performers at the mercy of the make, which, incidentally, is a lax affair that obscures the entertainers' faces completely.

Jerry Blanchard, a liaison blonde, is the show, which, acts with a ballroom lingo by Duxey and Treese, ending a novel and interactive (and appropriate) rain-dance by the local sorcerers, Richard and Coates. Violet Love, debuting, ended a complete show-stop, leading into a nicely costumed tap from Marion Kingston, which had a hint of hidden by elegant face and figure. The Roberts trio, doing a home appearance, score heavily for their dance repertory with Duxey and Treese making the ever-popular Caraca something better than usual. Jerry Blanchard's m. c. chore leaves much to be desired. Her intro's are words and carry little relevance. Uses the next-in-cloning spot for several well-re-

# New Disk Reviews Plenty Okay; Brunswick-Decca Record Feud Stimulates Phonograph Interest

## Writers' Angle

What the ASCAP means to the never-too-prosperous songwriter was fully evidenced with the first news of the government suit.

Those who have been depending principally on the society's revenue as a source of income—and others whose bounty has come from ASCAP—are wearing long faces.

Lindy's and other Tin Pan Alley haunts are dinky with ASCAP's suit palaver.

there is still the chance that the deal will go through. A syndicate has been working on this theatre and, as soon as the question of the American Theatre Society season is settled, it will be known whether or not the Casino policy will go in. Even Balaban & Katz has discussed the possibility of going into that type of show biz, either on their own or in partnership. They have the ideally located Apollo in their mitt and several promoters have been contacting B. & K. with just such an idea.

## New Schox Trio to Open at Paradise

Edith Jackson, who's been doing a sing since Clayton Jackson and Durante dissolved, is going trio again, this time with Val Irving and Billy Reed.

They open Sept. 12 at the Paradise restaurant, New York.

Enoch Light from the Sherburne hotel, Atlanta City, follows heretofore Grete's orchestra into the Claremont, N. Y., Sept. 6.

## SKY RENDEZVOUS

Philadelphia, Aug. 22.

This nitty opened with a fanfare two months ago by a Broadway group, but declined after its commencement to little sort of a franchise. However, a short time later, under the new management of Adolph Marks, former owner of the Chez Samson, the room picked up. Today it is among the leaders for the late trade.

Floor shows are still produced by Tony Shayne, with John Pierce more successful than Wallace Milam in the staging. Food is okay, prices a fair level at \$1.50 minimum. Local Macon's ask and remains from the opening, and offers much improved daisies.

Show features Roy Sedley's fast-paced quipping as m. c., starting with a profane and of the night girl line on the trout idea. Fems are plenty comely and display unusual versatility. Second spot goes to the original best in Philly and Philly, who twist about fairly in a rather antipathetic turn, but come back at closing with a better hit. Ensemble, monette, follows, which takes in a lot routine, ending the main play-off patter of Kane and Kanner. Two potential young fellows, Sedley takes a heat-to-closing, and high and a trumpet hit for a pretty show of laughter. Final shows lots of quality in the chorus, which the yodels seem to enjoy. Bit objection in the show is Roy Sedley's leaning toward vulgarity, although to thank his past would leave him with nothing.

Major reason Sky Rendezvous is drawing today is Adolph Marks, whose following in Philly has been building for the past twenty years.

Good.

By ABEL GREEN

Phonograph recording artists who have been more or less lachrymose about their dips in the last two years are taking more and more interest in the perfection of their wax impressions, having an eye primarily on the anticipated sales stimulus in the disk buying field. The Brunswick-Decca catenancy, and because it's been proven that the phonograph record has more than passing virtues for the artists, are two prime causes for this renewed interest.

In former years, to be a disk artist was a tribute to the artistry and unsmilingness of the hand or singer, but with the greatly multiplied sales in recent years many disk artists either continued keeping the phonograph dates for prestige purposes or because of some contractual or personal equation. Some later on figured it wasn't worth the effort to get up for an early morning phonograph date, especially in the case of dance bands having nite club, late hotel or evening radio commercial engagements.

In the case of radio artists, some even took the position that "earning" for the disks had its negative reflexes through the many small stations utilizing the records for commercial spot broadcastings to the detriment of their own more elaborately sponsored commercials.

However the recent crop of records show a more intense application to their chores. Some of the artists, particularly those without commercial sponsors on the air, realize that a good disk is their best selling argument for radio purposes—the advertisers can judge artistry of talent and also technically gauge his or her organization's qualifications for radio microphonic transmission.

## Case Lemo Orchestra

Of the new crop of disks: Glen Gray and the Casa Loma orchestra have a flock of their unusual adaptations for Brunswick. "Moon Glow" and "You Ain't Been Living Right" (No. 6037); "Never Again" with that jazz classic, "Milenberg Jaz" is the most recent assortment of Casa Loma. All are in that spirited tempo which has distinguished the new Casa Loma dance-mad youngsters. For usual Kenneth Bargent and "Ten Wee" Hunt split the billing on the vocal interludes.

## Leo Reisman

Reisman's style is said to have inspired the new talk-alike about Ray Noble technique which that

(Continued on page 51)

## Berg OO's Coast Talent For His China China

Los Angeles, Sept. 4.

Marty Berk, operator of the Little Club in Shanghai, is in town engaging talent for his fall season. So far he has signed the Griffin dance team; Flora Washington, colored blues singer, and is organizing a 10-piece band. Players go to China on a 10-week tour with o'clock. Return fare is posted in an L. A. bank.

Berk plans to open a second club in the Chinese city shortly after the first of next year and will return here at that time for additional acts.

With the exception of Miss Washington, all talent engaged will be high class. Intrigue of the cafe is mostly foreign. Berk claims that his business has been tops for the past six months with no sign of depression.

Blanche Calloway winding up season next Monday at Pleasure Beach, Bridgeport. Operators of room, McCormick & Barry, open their Ritz next week. Guy Lombardo set for Sept. 11 and Casa Loma for Oct. 14.

Jack Ward's Carolinas returned to the Waxman Clubroom, Bould Lake, N. J., after a week at the Tewahaw, Pa. Fair. Ward is out for a southern tour, with the opening date Sept. 15 at the Caroling Inn Clubhouse, Raleigh.

June Knight will do six records for Brunswick.

# "Don't just dream romance!— *Have it!*" SAYS GINGER ROGERS



When girls write me that they aren't as attractive as they'd like to be, I always advise them to make their skin really lovely



Every screen star knows that men respond instantly to the appeal of velvet—smooth skin. How to have this charm? Girls, it's easy!



Just use **Lux Toilet Soap** every single day. That's what I do! And though I use cosmetics, thanks to **Lux Toilet Soap** I never worry about **Cosmetic Skin**!

STAR OF RKO-RADIO'S  
"THE GAY DIVORCEE"



Beauty—important on the stage and screen—is important in daily life, too! When you guard against Cosmetic Skin, keep your complexion lovely —you hold as your own the sex charm no man can resist!

## Read how Ginger Rogers guards against unattractive Cosmetic Skin—keeps her skin lovely

**P**OWDER that flawless complexion? Of course! Ginger Rogers knows that powder goes on smooth as silk when you give your skin the right kind of care.

She's in on the Hollywood secret—knows that cosmetics need not harm even delicate skin—if you remove them properly the Hollywood way!

Ginger Rogers knows that choked pores cause trouble. You may think you are removing powder and rouge thoroughly, yet actually be leaving bits of stale make-up in the pores day after day.

When this happens, the pores gradually become clog-

ged, distended—unable to function normally. Then warning signals of ugly Cosmetic Skin appear—dullness, little blemishes, even blackheads!

### Cosmetics Harmless if removed this way

Foolish to wait for danger signals! There's a way to remove cosmetics thoroughly—with Lux Toilet Soap. Its lather is so rich, so ACTIVE that it floats out every last trace of dust, dirt, embedded powder or rouge. Use it—every time you put on fresh make-up during the day, and always before bed at night. Then you protect your skin—keep it lovely!